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**.. THE  
COLD  
WAR  
AGAINST  
LABOR ..**



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The Institute, now in its 23rd year, is a unique public interest resource center that helps people use law and history in working for peace, jobs, and justice. Since 1984, MCLI has been concentrating on developing Peace Law. The Institute's publications include: *The Angela Davis Case Collection* (1974), *The Pentagon Papers Case Collection* (1975), *The Human Rights Docket* (1979), and *Peace Law Packets* (1985-current). Its extensive archives include collections on Peace Law and the right to earn a living. Its annual October Symposium explores basic social issues and constitutional law questions.

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# VOLUME ONE

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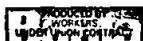
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To the veterans  
and the victims  
of the cold war against labor  
and  
to the rising generations—  
to Jim and Tom and Nina  
to Jane and Joe  
and all

When the union's inspiration  
Through the workers' blood shall run—  
We shall overcome.

# VOLUME ONE

vi

10	<b>Anti-Union Push on All Fronts</b>	86
	♦♦ Philip Lelli ♦♦	
11	<b>The Need for Labor Unity</b>	89
	♦♦ Dick Barry ♦♦	
12	<b>Labor Needs a Labor Party</b>	98
	♦♦ John Henning ♦♦	
13	<b>Our Work Is Cut Out for Us</b>	102
	♦♦ Edward Asner ♦♦	

**PART TWO • THE SHINING MOMENT AFTER  
WORLD WAR II** 109

14	<b>The Army Set My Foot on the Path of Labor</b>	110
	♦♦ Marvin Caplan ♦♦	
15	<b>The Black Community Prepares for Postwar Political Action</b>	117
	♦♦ Charles H. Wright ♦ Mindy Thompson Fullilove ♦♦	
16	<b>The U.S. Makes Peace and Full Employment into Law</b>	119
	♦♦ Charles Hayes ♦ The Editors ♦♦	
	♦ Box: New York Teachers Union-CIO ♦	
17	<b>A Worker Returns from the War</b>	125
	♦♦ James F. Wood ♦♦	
	♦ Box: Alden Bryant ♦	
18	<b>A CIO Staffer Works and Dreams</b>	132
	♦♦ Len De Caux ♦♦	
19	<b>Teaching Workers at the California Labor School</b>	137
	♦♦ Isobel Cerney ♦♦	
	♦ Box: Dave Sarvis ♦	
20	<b>The Union Was Like a Family</b>	152
	♦♦ Bob Martin ♦♦	
21	<b>Operation Dixie</b>	164
	♦♦ Philip Foner ♦ Michael Honey ♦♦	
22	<b>United Public Workers: A Real Union Organizes</b>	172
	♦♦ Rhonda Hanson ♦♦	
23	<b>The CIO Joins the International Labor Movement</b>	187
	♦♦ Len De Caux ♦♦	

<b>24</b>	<b>U.S. Labor Emerges from the War</b>	<b>200</b>
	♦♦ Henry Foner ♦♦	
	♦ Boxes: William W. Winpisinger ♦ Ernest De Maio ♦	
<b>25</b>	<b>U.S. Capital Emerges from the War</b>	<b>214</b>
	♦♦ Philip Sharnoff ♦♦	
	♦ Box: Len De Caux ♦	
 <b>PART THREE ♦ THE ATTACKS BEGIN</b>		<b>233</b>
<b>26</b>	<b>The Attorney General Denounces a Plot</b>	<b>234</b>
	♦♦ The Editors ♦♦	
<b>27</b>	<b>The CIO Holds Its 1946 Convention</b>	<b>236</b>
	♦♦ Ben Gold ♦ Len De Caux ♦♦	
<b>28</b>	<b>Big Business and Government Unleash Taft-Hartley</b>	<b>243</b>
	♦♦ The Editors ♦ Vito Marcantonio ♦♦	
	♦ Box: Len De Caux ♦	
<b>29</b>	<b>The Attorney General's Subversive List</b>	<b>250</b>
<b>30</b>	<b>What To Do About the Taft-Hartley Act</b>	<b>258</b>
	♦♦ Victor Rabinowitz ♦♦	
<b>31</b>	<b>This Is Fighting Taft-Hartley?</b>	<b>261</b>
	♦♦ Len De Caux ♦♦	
	♦ Box: Ben Gold ♦	
<b>32</b>	<b>Challenging Taft-Hartley in the Courts</b>	<b>264</b>
	♦♦ Victor Rabinowitz ♦♦	
<b>33</b>	<b>NLRB Attacks on Unions</b>	<b>266</b>
	♦♦ The Editors ♦♦	
<b>34</b>	<b>Unionists Build the Progressive Party</b>	<b>268</b>
	♦♦ Curtis D. MacDougall ♦ Bob Martin ♦ Len De Caux ♦♦	
<b>35</b>	<b>Congressional Committees Call Labor Witnesses</b>	<b>279</b>
	♦♦ The Editors ♦♦	
<b>36</b>	<b>The Real Marshall Plan</b>	<b>283</b>
	♦♦ Vito Marcantonio ♦ Terry Carroll ♦ I.S. Kremer ♦♦	
<b>37</b>	<b>The CIO Expels One Million Workers</b>	<b>297</b>
	♦♦ Ben Gold ♦ The Editors ♦ Abram Flaxer ♦♦	
<b>38</b>	<b>The Supreme Court Speaks</b>	<b>306</b>
	♦♦ Victor Rabinowitz ♦♦	

<b>39</b>	<b>Super Profits Required Red-baiting</b>	<b>314</b>
	♦♦ Bob Martin ♦♦	
<b>40</b>	<b>"Recovery" Requires Cold War</b>	<b>317</b>
	♦♦ Philip Sharnoff ♦♦	
 <b>PART FOUR • WORKERS FIGHT BACK FOR THEIR RIGHTS</b>		
		<b>323</b>
<b>41</b>	<b>The First Bitter Fruits of Taft-Hartley</b>	<b>324</b>
	♦♦ The Editors ♦♦	
	♦ Box: Vito Marcantonio ♦	
<b>42</b>	<b>Cold War Battles Inside the UAW</b>	<b>326</b>
	♦♦ Roger Keeran ♦♦	
	♦ Boxes: Clancy Sigal ♦ Harold Christoffel ♦	
<b>43</b>	<b>Ford Local 600</b>	<b>342</b>
	♦♦ The Editors ♦ Paul Robeson ♦♦	
<b>44</b>	<b>UE Local 735 Confronts a Hanging Judge</b>	<b>346</b>
	♦♦ Vivian McGuckin Raineri ♦ James C. Connell ♦♦	
	♦ Boxes: Morris Stamm ♦ Lem Markland ♦	
<b>45</b>	<b>National UE: Corporate Target for Extinction</b>	<b>374</b>
	♦♦ James Lerner ♦♦	
<b>46</b>	<b>The Heritage of Architects, Engineers, Chemists and Technicians (FAECT-CIO)</b>	<b>378</b>
	♦♦ Bernard Palmer ♦♦	
<b>47</b>	<b>CIO Unions Attack CIO Office Workers</b>	<b>385</b>
	♦♦ Tuz Mende ♦♦	
<b>48</b>	<b>United Public Workers: The Conscience of the Capitol</b>	<b>389</b>
	♦♦ Rhonda Hanson ♦ Abram Flaxer ♦ United Public Workers of America ♦♦	
<b>49</b>	<b>NLRB and Taft-Hartley Attacks on Unions and Leaders</b>	<b>399</b>
	♦♦ The Editors ♦♦	
<b>50</b>	<b>Taft-Hartley and the International Fur and Leather Workers Union</b>	<b>404</b>
	♦♦ Harold Cammer ♦♦	
<b>51</b>	<b>A Union President Takes His Stand</b>	<b>419</b>
	♦♦ Ben Gold ♦♦	
	♦ Box: Lyndon Henry ♦	
<b>52</b>	<b>Destroying the California CIO Council</b>	<b>430</b>
	♦♦ Carl Morgen ♦♦	



<b>53</b>	<b>NMU Expulsions and Coast Guard Screening</b>	<b>438</b>
	♦♦ Bob Martin ♦♦	
	♦ Box: Tuz Mende ♦	

## **VOLUME TWO**

<b>54</b>	<b>Red Scare in Paradise: ILWU in Hawaii</b>	<b>447</b>
	♦♦ Edward Long ♦ Edward Beechert ♦♦	
	♦ Boxes: Lou Goldblatt ♦ ILWU Pamphlet ♦	
<b>55</b>	<b>Teachers on Trial</b>	<b>472</b>
	♦♦ Mildred Schoenberger ♦ Teachers Union of Philadelphia ♦♦	
	♦ Box: New York Post ♦	
<b>56</b>	<b>One Los Angeles Teacher's Story: Frances Eisenberg</b>	<b>491</b>
	♦♦ The Editors ♦♦	
<b>57</b>	<b>More Congressional Investigating Committees</b>	<b>496</b>
	♦♦ The Editors ♦ James F. Wood ♦♦	
	♦ Box: Frank Wilkinson ♦	
<b>58</b>	<b>Academic Fallout</b>	<b>504</b>
	♦♦ Ann Fagan Ginger ♦♦	
<b>59</b>	<b>The Fatal Score</b>	<b>509</b>
	♦♦ Alvah Bessie ♦ The Editors ♦♦	
	♦ Box: Barbara Sherwood ♦	

## **PART FIVE ♦ COLD WAR AGAINST COMMUNITIES 513**

<b>60</b>	<b>In the City Was a Garden</b>	<b>514</b>
	♦♦ Henry Kraus ♦♦	
<b>61</b>	<b>Canceling Workers' Insurance Policies</b>	<b>523</b>
	♦♦ Albert E. Kahn ♦♦	
<b>62</b>	<b>A Community Medical Center for Workers</b>	<b>528</b>
	♦♦ Stephen H. Fritchman ♦♦	
<b>63</b>	<b>Trumpet Player: 52nd Street</b>	<b>533</b>
	♦♦ Langston Hughes ♦♦	
<b>64</b>	<b>AWOL</b>	<b>535</b>
	♦♦ George Bratt ♦♦	
<b>65</b>	<b>A Boy and His Gun</b>	<b>537</b>
	♦♦ Patrick E. Gorman ♦♦	

66	<b>The Climate of Terror</b>	539
	♦♦ Eve Merriam ♦♦	
67	<b>Fighting Jim Crow in the Nation's Capital: Mary Church Terrell</b>	544
	♦♦ Marvin Caplan ♦♦	
68	<b>Defending Foreign Born Workers</b>	553
	♦♦ Fred Rinaldo ♦♦	
69	<b>Justice Attacks Workers' Schools and Clubs</b>	561
	♦♦ The Editors ♦♦	
	♦ Box: "Man's Right to Knowledge: The Case of the Jefferson School" ♦	
70	<b>Our Battle in the Southland</b>	567
	♦♦ Rev. C. Tyndell Vivian ♦♦	
71	<b>Attacking Dr. DuBois and Peace Information</b>	573
	♦♦ The Editors ♦♦	
	♦ Box: W.E.B. DuBois ♦	
72	<b>The Don Juans of the F.B.I.</b>	577
	♦♦ Meridel LeSueur ♦♦	
73	<b>The Rosenberg-Sobell Case: Ultimate Weapon of the Cold War</b>	583
	♦♦ Helen L. Sobell ♦♦	

## **PART SIX • FIGHTING FROM BORDER TO BORDER 591**

74	<b>Mine, Mill, and Smelter Workers: The Salt of the Earth</b>	592
	♦♦ The Editors ♦ Frank Arnold ♦ Virginia Derr Chambers ♦ Clinton E. Jencks ♦ Morris Wright ♦♦	
	♦ Box: Harvey Matusow ♦	
75	<b>Effects of Union McCarthyism on Black Workers</b>	615
	♦♦ Philip Foner ♦♦	
	♦ Boxes: The Editors ♦ Irving Fromer ♦	
76	<b>National Negro Labor Council</b>	627
	♦♦ Mindy Thompson Fullilove ♦ Charles H. Wright ♦ William Hood ♦♦	
	♦ Boxes: NLC Yearbook ♦ House Committee on Un-American Activities ♦	
77	<b>Two Historic Conferences for Women's Rights</b>	643
	♦♦ Mindy Thompson Fullilove ♦ Vivian McGuckin Raineri ♦♦	
78	<b>Red, White and Black in Southern Labor</b>	648
	♦♦ Anne Braden ♦♦	

xii ♦ Table of Contents

79	<b>Focus on Memphis: Union Hall to City Hall</b>	661
	♦♦ Michael Honey ♦♦	
80	<b>The CIO and AFL Merge in 1955</b>	667
	♦♦ The Editors ♦♦	
81	<b>United States vs. Marie Reed</b>	671
	♦♦ Vivian McGuckin Raineri ♦♦	
	♦ Box: Jack G. Day ♦	
82	<b>Subversive Activities Control Board Attacks</b>	679
	♦♦ The Editors ♦♦	
83	<b>Steelworkers in Buffalo: A Personal Perspective</b>	681
	♦♦ Joseph Cantor ♦ Frank Wilkinson ♦♦	
	♦ Box: Victor Rabinowitz ♦	
84	<b>ILWU Communist Slays the Son of Taft-Hartley</b>	707
	♦♦ The Editors ♦♦	
85	<b>Expelled Teamster Fighting for Democracy</b>	712
	♦♦ Jack Weintraub ♦♦	
86	<b>A Plumber Gets Curious About Exporting McCarthyism</b>	723
	♦♦ Fred Hirsch ♦ Virginia Muir ♦♦	
 <b>PART SEVEN ♦ WHERE WE DO WE GO FROM HERE</b>		769
87	<b>ILGWU Organizer Murdered: Why?</b>	770
	♦♦ The Editors ♦♦	
88	<b>Organizing Federal Workers</b>	772
	♦♦ Vivian McGuckin Raineri ♦♦	
89	<b>Organizing Teamsters in the 1980s</b>	780
	♦♦ Ron Teninty ♦♦	
90	<b>Affirmative Action</b>	787
	♦♦ Leonard McNeil ♦ William J. Brennan, Jr. ♦♦	
91	<b>United Farm Workers Use the Boycott</b>	800
	♦♦ Suzanne Meehan ♦♦	
92	<b>Is There Life After the Mill Closes Down?</b>	805
	♦♦ The Editors ♦ "Franco" Curtis ♦♦	
93	<b>Pressman's Blues</b>	809
	♦♦ Jim Ginger ♦♦	
94	<b>Women and Unions: Today and Tomorrow</b>	813
	♦♦ Carolyn J. Jacobson ♦ The Editors ♦♦	
	♦ Boxes: NY/CLU Child Care Committee ♦ Women for Racial and Economic Equality ♦	

<b>95</b>	<b>The Need for Peace Is Revitalizing U.S. Labor</b>	<b>823</b>
	♦♦ Benjamin Riskin ♦ The Editors ♦♦	
<b>96</b>	<b>Proposing a Rational Economic Plan to the Legislature</b>	<b>835</b>
	♦♦ Oregon AFL-CIO Employment & Economy Committee ♦♦	
<b>97</b>	<b>Legislation Promoting Full Employment</b>	<b>839</b>
	♦♦ Charles Hayes ♦♦	
<b>98</b>	<b>The Spirit of the 1985 AFL-CIO Convention</b>	<b>847</b>
	♦♦ The Editors ♦♦	
<b>99</b>	<b>New Tactics for Labor</b>	<b>850</b>
	♦♦ Norman Roth ♦ Ellen Green ♦ Plant Closures Project ♦ Nicolaus Mills ♦ Lance Compa ♦♦	
<b>100</b>	<b>Proposals for Action</b>	<b>866</b>
	♦♦ William Winpisinger ♦ AFL-CIO Committee on the Evolution of Work ♦ The Editors ♦ Leonard McNeil ♦ Ron Teninty ♦ Charles Hayes ♦♦	
	♦ Boxes: Oregon AFL-CIO Employment and Economy Committee ♦ Joyce Miller ♦ Amy Newell ♦	
	<b>Honor Roll</b>	<b>880</b>
	<b>Index</b>	<b>884</b>

## ♦♦ LIST OF ILLUSTRATIONS ♦♦

- Cover: Photograph by George Tames.
- Page 33: Photograph by Rick Hill.
- Page 62: Woodcut by Emmy Lou Packard.
- Page 72: Photograph by District 925, SEIU, AFL-CIO CLC.
- Page 85: Cartoon by Fred Wright.
- Page 114: Photograph from Kaiser Industry Archives.
- Page 128: Photograph from FLM Joint Board Collection.
- Page 142: Photograph from Anne Rand Research Library, ILWU.
- Page 150: Drawing by Pele de Lappe.
- Page 156: Photograph by de Sylva.
- Page 206: Photographs from The Other America Project.
- Page 248: Linoleum block print by Richard Correll.
- Page 280: Cartoon by Alexander.
- Page 287: Woodcut by J. Chavez Morado.
- Page 301: Silkscreen by Frank Rowe.
- Page 316: Drawings by Hugo Gellert.
- Page 354: Photograph by Runyon.
- Page 442: Photograph by Jordan's Studio.
- Page 468: Photograph from *The ILWU Dispatcher*.
- Page 481: Cartoon by Fred Ellis.
- Page 501: Drawing by William Gropper.
- Page 519: Drawing by Bits Hayden.
- Page 565: Lithograph by Victor Arnautoff.
- Page 586: Woodcut by Angel Bracho and Celia Calderon.
- Page 590: Painting by Edward Biberman.
- Page 600: Photographs from *Salt of the Earth*.
- Page 637: Drawing by Pele de Lappe.
- Page 654: Woodcut by Louise Gilbert.
- Page 709: Cartoon from Civil Rights Congress.
- Page 790: Drawing by Charles White.
- Page 808: Photograph by Jim Kottra.
- Page 825: Photograph by Harvey Richards.
- Page 855: Cartoon by Peggy Lipschutz.
- Page 876: Drawing by Irving Fromer.

## ♦♦ PREFACE ♦♦

Winston Churchill declared the Cold War for President Harry Truman in his famous "Iron Curtain" speech at Fulton, Missouri on March 5, 1946. This marked the first major step after World War II toward mobilizing public opinion against the Soviet Union and the new socialist countries of Eastern Europe. Communists who were our allies in the war against fascism now became "a growing challenge and peril to Christian civilization," according to Churchill. He included in his warning Communists within the United States.

When Senator Joe McCarthy started strutting his stuff before his Senate investigating committee, the press coined the word "McCarthyism." But the era did not end with McCarthy's early defeat and demise, and became known as the "Cold War/McCarthy period."

Long after the thaw began, people came to realize that the Cold War had two fronts: 1) wherever the Soviet Union or any other socialist country was making an advance, and 2) wherever progressive unions or other organizations were on the move within the United States (or other capitalist countries).

For many people, the first sign of war was a feeling that they had an enemy, namely, the FBI. Agents took their pictures, tapped their phones, spied on their neighbors, served them with subpoenas, testified against them.

The next sign was the appearance of victims. The most unforgettable were Ethel and Julius Rosenberg. But there were many, many others across the country—people who lost their jobs or their occupations, who lost their spouses or the respect of their children and their communities because they were "Communists."

By 1955 there were tens of thousands of such victims.

In a war, there are always heroes and heroines, and the Cold War produced its fair quota of each—people who stood their

ground at the Un-American Activities Committee hearings; who circulated the Stockholm Peace Appeal against nuclear weapons in the face of harassment; individuals and organizations that flew their banners high, one way or another, somewhere or other, to give themselves, and others, a respite from repression and fear.

A war consists of many battles on several fronts. The Cold War had its share. Many were delaying actions—fighting over every principle, holding the line as long as possible and trying to retreat, when that was absolutely necessary, to some position from which a defense could be mounted when the troops could be mustered again. The battles often ended where they had started, in courtrooms. Finally, in the spring of 1957, the United States Supreme Court handed down three decisions that indicated the tide of battle had turned. The army of the right, of major segments of big business and government, was slowed down when the Court reversed decisions against Communist Party leaders, labor organizers, and a militant union.

The Cold War produced not only battles, victims, heroes and heroines. It also produced a fine crop of veterans. There was, of course, a difference in these veterans: they were without rank or station. They had no battle ribbons to commemorate their battle scars. Many had scars so deep they did not wish to uncover them ever. Others could not wait for an opportunity to reveal exactly what the Cold War had done to their lives, and especially to their dreams of a better America.

We found this to be especially true when 750 people turned out for our 1980 Meiklejohn Institute national symposium, *"Are You Now or Have You Ever Been. . . ?" A Critical Look at Matters of Conscience and the Body Politick*. Words crashed through the dam of self-imposed silence, drenching an enthusiastic audience of veterans and their sons and daughters, who gathered to learn the details of the political repression of the late 1940s and '50s. New facts were brought to light, old arguments were stirred up, and, in perhaps the most moving session, discussion circles traced the impact of McCarthyism on families marked for destruction.

Once we had transcribed the proceedings of this historic weekend symposium, it became clear we could not simply store them on our shelves for the occasional scholar or red diaper baby looking for fascinating material. At that moment, in the winter of 1980/1981, we made the first selections for this giant anthology. As time went by, we wrote to friends and friends of

friends East, West, North, South, soliciting manuscripts and illustrations to fill in missing pieces. Along the way, we began to see very clearly the relationship between the situation of unions during the Cold War era and their situation today. And so we added Parts One and Seven to reflect current key labor issues and the approaches unions are taking.

Seven years later, the results are before you in two rich volumes. We are proud of this work, of its breadth and scope, of the 88 authors and 35 illustrators and photographers whose contributions grace its pages. But we warn that a great many significant stories, historic and current, remain for you to collect and distribute. Much more is needed about unions in steel, auto, and rubber throughout the Midwest. More charts and graphs are needed to depict gains and losses through strikes, loss of jobs through runaway shops, successful organizing drives, and growths and losses in union membership over the past four decades. We could not even mention many significant current movements, organizations, and parties working for union democracy and the rights of labor. Serious students of labor can move beyond these volumes to study the impact of the global assembly line on all industrial production from "light" electronics to "heavy" steel, and the growing debate over protectionism and "Buy American."

Harry Bridges set forth in the foreword the overreaching thesis of our work: the vital link between the struggle for the rights of American workers and the worldwide movement for peace.

In telling the stories of many unions over four decades, at least two other truths emerge. First, whenever unions started excluding leftists, Communists, and progressives from membership or leadership, they lost the ability to grapple effectively with racism, sexism, and union busting. Second, the more unions followed the line of big business and government, the closer they came to selling out their memberships during contract negotiations or succumbing to gangsterism and kickbacks.

As the press reported 26 percent more strikes in 1987 than in 1986, the federal government proposed a "take over" of the Teamsters Union, and the new air controllers decided to organize a union out of the ashes of PATCO. The Cold War against Labor is heating up again, on many old and new fronts, as workers demand their rights.

Some of the rights of labor in the United States are spelled



out in New Deal labor laws, based on the premise that employers want to make a profit out of producing and selling goods, so they will be willing to bargain with unions representing their employees in order to maintain production.

This basic premise was never totally accepted before 1947, was undercut in the 1947 Taft-Hartley Act, and is under increasing attack today. The U.S. Government has become one of the biggest employers and consumers, directly and indirectly. Most of the goods the Government wants produced are not made for consumption; they are war materiel intended to be stockpiled and finally declared obsolete, to be replaced with other nonusable goods. The U.S. Government today has no commitment to buy goods with a union label, or even made in the United States. When President Reagan broke the PATCO strike near the beginning of his first term, he sent this message to the U.S. labor movement.

So the basic premise underlying the statutory rights of labor in the U.S. is under sharp attack today because employers can make more money in the short run through investing and producing goods abroad than by producing goods at home. This has made them much less interested in bargaining collectively with U.S. unions to achieve contracts that will insure labor peace and production.

But now transnationals are beginning to see that continuing to cut production in the U.S. to save on labor costs may have a negative impact on their profits worldwide. So they are threatening to depress the wages of U.S. workers so that wages worldwide will be more or less equivalent, and they can make almost the same rate of profit here and abroad. They may not yet understand that the threat of wage cutting and unemployment can trigger union militancy, and that unemployment and wage cuts limit purchasing power and can trigger another depression.

These factors have led to new problems and opportunities, which are discussed at the beginning and end of this book.

## ACKNOWLEDGMENTS

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- Ann Fagan Ginger
- David Christiano  
Berkeley, California  
June 1987

## ♦♦FOREWORD♦♦

### ♦♦Harry Bridges♦♦

*Harry Bridges became the first president of the International Longshoremen's and Warehousemen's Union after the 1934 general strike, and continued in that post until his retirement 54 turbulent years later.*

*This foreword is excerpted from Bridges' address to the Southern California Library for Social Studies and Research in 1986.*

Right now it looks like the labor movement is in real trouble. It is. The real trouble is the employers, with plenty of backing from the present administration of Ronald Reagan; they have been making things tough for unions.

Some people in the unions, some leaders, are kind of misled. What they're doing is, they're thinking, "What can we do about all of this?"

They're going to find out what can be done.

In spite of the fact that unions have been going through a rough time for a couple of years, now they're getting back together again. Now they're uniting and fighting back. Before this period is over, these attacks by the government, by the courts and by employers on the labor unions, which try to disorganize them, block them from making any gains—these efforts will fail.

I'm not dreaming. I'm speaking from experience—what I've gone through. What I've seen happen is going to happen again. The labor movement is going to come back. It's going to fight like hell.

Anybody wants to know what the future is going to bring, anybody wants to know where to put your faith for the future, for a good country and a good living? Put it with the labor movement, because there ain't no other place to put it.

That's not a dream. That's based on practical experience.

There's no question about it: the labor movement has some weaknesses. It's got some inexperienced leaders in places. It makes mistakes. What the hell, it's human! That's the big thing about it.

But when a situation comes along on some issue, and I don't know what it will be, but the issue will come along and the labor movement will unite overnight, just as we did in the 1934 maritime strike in San Francisco.

The strike began May 9 and was in its eighth week. The ranks were holding firm. Come July of 1934, the companies decided to open up the port. Of course the docks were piled high with cargo and we had to move them. So there was a big battle July 5, 1934. We lost two men, killed, shot down by the police, two to three hundred wounded, went to the hospital. That evening the governor of California called out the National Guard. It marched down the waterfront and took over. We took it back after a four-day general strike.

The main thing about that strike was the rank-and-file. This of course is true of any strike and has always been my experience from the very start.

With the National Guard in charge of the docks, I remember my own committee met and said, "Now, what do we do? We've got to go back to work! We're licked."

I said, "Oh, no, we're not! We can call a general strike!"

That doesn't mean I knew a hell of a lot. I didn't. I was only relying on experience I'd picked up in Australia. There was a general strike there in 1917 and tied up the whole darn country, for something like the same reason. There was a battle on the waterfront and the government called upon the Army.

Now half the group or more didn't believe it. My own committee said, "Jesus, this cock-eyed Australian is nuts, talking about a general strike. How do you do it?"

"Well, you go and talk to the workers."

Which we did. Didn't get turned down once. Had a general strike which lasted four days, during which time we signed up 35,000 workers. After four days we won.

So, the point of this story is: when you get into a tough situation like ours and you've got to do something, what do you do? You go and talk to the rank-and-file.

In this case, they all agreed with us, every one of them. That included workers who were in unions in San Francisco, like the streetcar crews, and a big bunch of unaffiliated workers as well.

And it worked. We came out on top.

Now when a fellow says, "We're licked. What do we do now?" say the same thing, "Depend upon the rank-and-file and we'll fight our way out of it."

One final point which, again, is the responsibility first of all of the labor movement: It has got to catch up on the issue of world peace.

Without feeling that I am too optimistic, I honestly believe, in my old age, that we have seen the last of world-wide nuclear war. Little wars are still going along. We can't stop the people now in various countries who have been suffering from dictatorships for years. They are beginning to fight. That is a good thing.

I'm talking about world-wide war, nuclear war. I think we've seen the end of it. I know that there is plenty of war talk. But I've got a couple of good examples for hope. Those negotiations in Geneva, they must go on. Those meetings scheduled between the two superpowers, they must continue.

The second step is to reach agreement. That may happen in the future. But as long as those negotiations continue to take place, there will be no war. Just bear that in mind. Put all your energies in that.

A majority of our country believes in peace. A majority of the world does too. Negotiation is the way to have no war. Never mind what Mr. Reagan and his administration is saying, spending millions and trillions on Star Wars. It's not going to work.

Have faith in the fact that we can stop the war. Have faith in the fact that we can bring about disarmament. We can stop tests of atomic weapons and continue to support those negotiations in Geneva. That is the best protection for the time being against any war breaking out.

# WHERE DO WE STAND TODAY?

The authors mention many differences between labor problems today and problems in previous decades. And they begin to uncover some of the roots of present problems in the past, especially in the Cold War/McCarthy period.

# 1 ♦♦ WE PROMISE YOU NOTHING BUT A GOOD FIGHT

## ♦♦ Paul Chown vs Martin Jay Levitt ♦♦

*During the Cold War, Paul Chown was an organizer for the United Electrical Workers Union (UE-CIO). Today he works at the University of California's Labor Center for Educational Research in Berkeley where he develops classes for trade unionists at the shop level primarily. Martin Jay Levitt is a consultant on labor relations to employers and was earlier an organizer for the Hotel and Restaurant Employees and Bartenders Union.*

*These are excerpts from a forum conducted by Professor Ann Fagan Ginger in the Labor Law I course of New College of California School of Law in San Francisco (35 Lawyers Guild Practitioner 33 (1978)).*

**Prof:** Mr. Chown, do you want to give an opener?

**Chown:** The way labor law is now constructed, any employer who wants to keep out a union can virtually do it by using the maximum available to them under the Wagner Act, as amended by Taft-Hartley, as amended by Landrum-Griffin, and more importantly, amended by continuous eroding rulings by the National Labor Relations Board on a wide range of policies which the law doesn't even specify.

I don't really want to give away too many secrets that Mr. Levitt doesn't know anyway, but the approach of my union, basically, is that you have to tell a group of people that they have to organize a union and not think in terms of winning an election or some popularity contest. They face a risk of being dis-

charged, and a union cannot guarantee them that they will get their job back. They have to face risks of intimidation. They may very well have to be willing and able to successfully strike to get a contract after they go through all of that.

Frankly, we lay out all the kinds of materials that perhaps Mr. Levitt's firm and certainly a lot of others use, and tell the whole story the way it really is, as we see it. Given certain circumstances, it's cheap enough for an employer to fire six or eight organizers in a plant, even doing it so blatantly that the union could establish clearly that it is an unfair labor practice. Even if we get the Board to go with the charge and the complaint, it may be six years later before there is an order to reinstate them on the job. And what is the condition then? When we go through all of that, then we say, "If you still want to have a crack at building a union, fine, we'll help you all the way."

The other thing we say is: "We don't promise you anything but a good fight," because the promises trap is something that has been exploited very successfully by the other side.

**Levitt:** I admire what Mr. Chown said, because you promise a good fight. And that's what it should be. It should be clean, but rarely are they. I've been through 300 representation cases and I'm sure my counterpart has been through probably as many and maybe more.

When I talk to my people, I talk about an organizing campaign, and it's a real two-way battle. It's more than a battle; it's almost a war. It's part of the emotion that makes it into a war. You have to appreciate that there are two factions opposing each other. One, a labor union that is looking to increase its own revenues by representing you, and the other side, you and your company that is choosing to remain with the 80 percent in this country that are non-union. So there is going to be something going on.

But it excludes the most important group—it excludes the employees. And that's too bad. Because I say that employees do not vote for or against a union per se; they vote for or against the management. And there is a very fundamental reason why. I don't think today's labor unions convey to their prospective membership what a union is, what collective bargaining is. And there I think you and your contemporaries throughout labor have failed miserably and have made my job very simple.

**Chown:** Well, I think you have missed one point. And that is, when I talk about building a union organization, that's exactly



it. So that the workers, the employees, are doing the fighting, not the union officials. That's a trap many unions get into.

**Levitt:** It is, the majority.

**Prof:** How did you happen to move from International Hotel and Motel Workers Union to your present work?

**Levitt:** I discovered that just as my corporate clients were businesses, so was this organization. And I chose to come back as an independent consultant and practice what I consider to be unique to my field and that is the teaching of human resources to management.

We call [this] preventive labor relations. It's called a lot of different things, but the essence of it is, when you can create—and it's easier said than done—real positive employer-employee relations in any organization, there is little else you have to do to prevent successful union organization.

**Prof:** OK, Mr. Chown, how did you become Brother Chown?

**Chown:** I grew up in the heart of the depression, missed a lot of meals and all of that and I got early attracted to socialist groups and radical groups and so on. Then I worked my way through college and I kept landing in one organizing campaign after another. I was working in the Alaska canneries and we organized the Alaska cannery workers union, the culinary workers union, worked with them, and woodworkers, and many other groups. Then when I got out of college I went to work in a steel plant and was shop steward for a time and then ran for office in the local union. I had a strong sense that there is a basic power relationship in our society which determines the course of events, so I aligned myself with working people and have been there ever since.

**Prof:** Now I would like you both to make the first speech you would make when you are called into a situation. Let's say you would be called in first, Brother Chown.

**Chown:** Probably it would be a gathering at the home of someone who works in the shop. But, you see, I wouldn't make a speech. I would begin by asking you a whole lot of questions: Why do you want a union? What do you think you're going to get out of it? What do you think a union is?

**Student:** We don't know what we want. We have problems. We want you to tell us how to solve them.

**Chown:** Ah, you see, that's the trap that at least my union is not going to fall into. What we are going to persuade you into is that *you* are going to do it. We're going to help you. But *you* are going to have to elect a committee to organize in the plant. Like Mr. Levitt's got a supervisor that he's going to train, we're going to be training at least one person in every single department that will be the counterpart to that supervisor.

**Student:** What about the contract?

**Chown:** The contract evolves out of what people want. Take seniority. There are all kinds of seniority plans. One of the big mistakes inexperienced organizers make is to go in and start laying down their conception of what seniority ought to be. That may turn three people off in a meeting right away, because people have different ideas about how they want it, whether plant-wide, departmental, occupational, and so forth.

People think that somehow getting a union is like going to a cigarette machine: "I'll take the flip-top filtered menthol one; that's the one I'm going to press," and it all comes out automatically.

But it will never work. And every union that starts that way, people like Mr. Levitt cream them every time. That's why many times it takes several meetings for people to begin to finally see.

My union maybe is peculiar in the fact that we still say that people who are going to live under that contract are the ones who are going to have to develop what their objectives are in some kind of realistic way, and what it is they want to fight for, because it's going to be a fight. Mr. Levitt said it: "It's a war."

I say unions are successful when the people who are laying their jobs on the line are involved and know that it's their war and not the union organizer's. So long as they figure it's the union organizer's, that leaves them a lot of room to back away... Many unions have been trapped into getting people to sign up—they get the whole shop signed up. Meantime the employer goes about doing his thing and the day of the election, they vote for "no union". They got their raise or whatever they wanted straightened out.

That's why it's important to find out where each person is coming from. The best part of organizing, in my opinion, is to be a good listener. Listen to what people are saying, as well as to what they aren't saying to you. Then you begin to really get a sense of where [they're] at. Sometimes the first person who

contacts a union organizer may be someone with a particular axe to grind who is really not going to stay with it. Some people are not really going to do the in-plant organizing and take the heat inside the shop.

We want to protect people. And the hardest part is holding people back until they are really ready to open up in a shop. Sometimes one department will get all fired up and, man, they want a union because they have a lousy first-line supervisor who is always grinding down on them. But the other departments are in fine shape. People tend to look at it very myopically and figure because it's so bad where they are, that's how it is everywhere else. So organizers have to restrain people so they will quietly go around and talk to other people and kind of psych out where everybody else is coming from.

**Student:** If one of us gets fired for organizing or talking to other people, would we get our job back right away?

**Chown:** No.

**Student:** How long will it take?

**Chown:** You may not get it back at all, depending on whether you can prove, to the NLRB's satisfaction, that the reason for the discharge was your union organizing. Even if that first stage is won, the company has the right to appeal, and even if they are directed to put somebody back, they can force the issue by having the NLRB go to the Circuit Court and, if necessary, to the United States Supreme Court. So it might be four to six years before getting an order reinstating you.

Our experience is that if you have major objectives you want to achieve and you want to exercise power and be protected by a union, you will get further if you organize than if you just do it in a loose, informal manner. That's what you have to assess: whether your objectives are large enough or all you want to do is get more toilet paper in the restroom or ventilation or a health plan. You know, you might try that on your own.

From my point of view, every organizing campaign is put together in the sense of the relationships of the people in the plant, whether there are a lot of Blacks, Chicanos, Spanish-speaking people, women or whether there are a lot of young people or older people, and so forth. In terms of whether there has to be a strike, a lot depends on how firmly people are organized, and what the response will be in management. It's too simplistic to say every company is going to take a strike. It's

just that you have to be prepared for that as a possible eventuality.

**Prof:** Mr. Levitt, how would you address your clients the first time you met them?

**Levitt:** I would begin at a meeting of supervisors called during working hours. We do a great deal of interpersonal communicating with primarily first-line supervisors of a company, because I think the first-line supervisor or foreman in any business is more oppressed than what we will refer to here as rank-and-file. The first-line supervisor is the person that is making his or her first step into management. And that is the person that we win or lose in the cases we are involved in. And that is the person who gets kicked around most because he or she is getting it from up here, and they are getting it from down here.

You have to be aware, supervisors, that for this union to file this election petition with the NLRB, it needed at least 30 percent of your subordinate employees to sign those cards, but I have never known of a union to file a representation petition if they didn't have well in excess of 50 percent of your total employees signed up. Further, if that union chose to, that union could have come to any one of you, or to the chief executive officer of this company, and demanded recognition by presenting those cards that they thought they signed in confidence. And if he had looked at those cards, and the organizers did in fact have 51 percent or more of the employees, you would be union members, all of you.

Obviously we've made some mistakes. If we didn't make any mistakes, *there would be no union organizer*. We have a lot of restrictions now because of the National Labor Relations Act. My firm and I are very proud that in our 12 years of practice we've won all of the elections on behalf of our clients. We have never had a result set aside, and have never been ordered to have a re-run.

We're going to take you through an exercise that we call "do's and don'ts."

You may have heard before we were called into this case that now that there's union organizing, keep your mouth shut and your ears open or you might get an unfair labor practice. Well, we're going to reverse that. We're going to tell you to talk. We're going to teach you how to communicate, to become re-acquainted with your employees.

**Student:** Maybe I don't understand, but isn't a shop steward going to be one of the people who are one of my employees already?

**Levitt:** Yeah, but chances are that the person who becomes steward, even though that is an elective office, is going to be the person who in the course of this campaign fought and championed the union's cause hardest.

You have to appreciate that in our opinion the labor movement fostered duality. They placed themselves in a position where you've got labor on this side and management over there on that side and never the twain shall meet. There's got to be an adversary relationship. And there are many benefits that go with being a steward. For example, in many plants, restaurants, companies, a steward gets superseniority. He's the last to go in any kind of a staff layoff or reduction.

As we develop our campaign, our first priority is to remain non-union. One of the first things we do with the client is to get, through the U.S. Department of Labor, the union's financial statement and the union constitution. We dissect them, like you used to do a frog in high school, and feed that information out.

We leave an employer with certain recommendations that they have to continue if they are going to remain non-union.

**Prof:** In writing?

**Levitt:** Ah, very rarely do we leave it in writing. That is advice given to me by an attorney—in fact, that could be subpoenable material.

**Student:** How can you keep union truck drivers from infecting employees?

**Levitt:** We're not a union-buster, sir. You won't get that from us. How do you stop the truck drivers from infecting our people? What kind of infection are you talking about? Are you talking about the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, etc.? OK, and these truck drivers that you allege to be infecting your people are simply sharing what they have achieved through ongoing negotiations over many years. You're also talking about a totally different job classification. What you are saying to yourself is that everybody has a need to know and nobody knows until they are told. Maybe you should tell your employees that it's great and you

admire the fact that the Teamsters were able to win these kinds of advantages in their contract. But they are not truck drivers and right now any contract they may be thinking about is not going to be like that. Today it's a starting point. Perhaps they can be better off just as they are and with the awareness that we all hope to create.

Let's talk about job security, which is something that unions profess to offer when they represent employees. It's twofold. It's your ability to do your job well and it's your company's ability to stay in business. And with or without a union, an employer always has and always will enjoy (forgive me the use of the word "enjoy"), will *have* the right to terminate for just cause.

What should a company's disciplinary system be? When you first discover an employee committing any infraction, verbally warn him, and not in front of his peers. Take him or her off to the side, let them know what they did wrong, why it can't work in this operation, and then make a notation that on such and such a date you verbally warned so and so about the following infraction, and put it in their personnel file. And if there is a second infraction, even if you verbally warn them again, document it, document the verbal warning.

If it persists after those two verbal warnings, then if your company does have a written warning form, that form will have many lines to write up, in depth, what the infraction was. And it should be in triplicate. And after you present it to the employee, so that the employee can read it, and either agree or disagree that he or she has committed that infraction, the employee should be asked to sign and be given a copy. And if the employee refuses to sign, then you write on there that the employee refused to sign and initial it.

And if it persists, you have the choice of another written warning, perhaps suspension, and/or if it has gotten out of hand, then you are terminating that employee for just cause because you have given that employee every fair opportunity to correct what your organization feels cannot work consistently with the rest of the employees.

**Student:** What about having a debate so everyone can hear the whole story?

**Levitt:** What you have identified is one of the oldest union organizer tactics that I have experienced over my career. On the surface, and I have been in campaigns where telegrams were sent to the chief executive officer challenging him to a

debate and where all the employees receive copies of that telegram.

But let me convey to you that if anyone in your management accepted the debate challenge, met with union officials and in the course of that discussion anything relative to wages, hours, or conditions of employment were discussed in any kind of an interchange, that wouldn't be a debate. That would be negotiating, and you would never have and your employees would never have their right to vote in the upcoming election. These people are going to have a campaign, let each side give their best to the employees. But we have to stay within the boundaries of the law.

All right, I said you can't promise, you can't threaten, you can't make statements of futility—"If the union gets in, we're just going to close down." You can't interrogate your employees about their union sympathies: "How do you feel about the union? How many people signed cards? How many went to the union meeting? How do you think the election's going to go?"

So those are the don'ts.

It's the do's that will help you win, because you have First Amendment rights and what they break down to is anything that is a "fact" and anything that is your "opinion." And what we intend to develop is a campaign on how you convey the facts along with your opinion to help your employees understand your side, to give them their objective choice when they go in to mark their secret ballot.

As far as unfair labor practices go, there are two different kinds of punishments for unfair labor practices. If I were chief executive officer of your company and I walked before all of you and said, "If the union gets in, I'm closing down," or "I'm going to get rid of all of you," that would be a severe unfair labor practice and what your company would get would be a bargaining order; there would never be an election.

**Prof:** All right, let's see. We're into this campaign and the election is going to be in about a week. There is a rumor now around the shop among the workers that if the election is won by the union the company is going to cut the department with the most workers. So there is a hurry-up call to the organizer to come in and solve the problem.

**Chown:** Well, we've got to back up quite a bit, because I wouldn't say unions created the adversary system. I would say our economic system creates the adversary situation. If you go



to work, say, in a factory or an office, as soon as you are in there, it's like going to jail in one sense. You punch a time clock and thereafter whatever your supervisors tell you to do, those are the conditions of employment unless you want to risk insubordination by saying, "No, I won't do a certain thing." If it's an imminent hazard, maybe in modern times you can get the OSHA to get your job back for you.

So what we're trying to do is not to win a popularity contest, not to organize in terms of winning an election, although that may be one aspect of it. But to organize a countervailing system of power whereby the people in the restaurant, shop, office, or whatever can have some sharing in the decision-making process which reflects itself in the union agreement. And then we have an ongoing effective remedy for any grievances that may arise, through a grievance procedure and so forth.

A whole lot of one-on-one talking has to go on with many, many people for many weeks and months toward the slow building of an organization. We have slideshows and samples of the kinds of literature that are put out by management in other campaigns. This type of thing always makes it easier for people to comprehend what they're up against. Particularly by illustrating instances where employers do go a little overboard, and the worst that happens is that they get their wrists slapped.

It's an unfair labor practice if a supervisor says, "We are going to shut the plant down if you vote for the union." It is not an unfair labor practice if he furnishes them 'facts' that "Such-and-such a plant in Los Angeles voted for a union and three months later they moved to wherever, Taiwan or across the border to Mexico.

The main emotion that Mr. Levitt's side plays on, from my point of view, is people's fears, fear of the unknown: "You think things are pretty lousy now, but they might be even worse down the road." The implication of all this is that the union is so weak that they can't even get you the same conditions you now have.

The whole procedure that allows Mr. Levitt's *modus operandi* to be so effective in organizing all this free speech of the supervisors comes from the Taft-Hartley Act and other amendments to the Wagner Act giving this right to employers. Prior to 1947, in ancient days, the concept of the law was that it's up to the workers to decide if they want a union, which union, or don't want a union. And management could not express their pref-



erence or say, "We think you ought to vote for this union." I've been in struggles with the IBEW in which they used to brag that they never had a strike in manufacturing and then they would list on their leaflets all the strikes that we had. Next the management would say, "We want the IBEW because that's a responsible union." There wasn't anything illegal about their saying that either.

Basically, the kind of work we do is meeting with small groups, by departments, and building up the idea of self-help, which is a very difficult concept for most people to accept in our society. Many people reject working with our union because they don't want to get into an organizing campaign. All they want to do is sign a card and give over the responsibility to someone else....

One thing I have found being over at the Labor Center is that different unions have different institutional ways of handling certain things. If it gets results, maybe in our pragmatic society that's not a bad way to go. Since Mr. Levitt has an unbroken record of 300 wins for the employers, clearly different kinds of tactics and strategies have to be used, and if we ever get into an encounter with you, you might have to rack up a loss or two.

**Levitt:** No two situations are alike, and the losses will come. May I also use the Teamsters as an example. Even though they are the largest labor union in the world, with the largest membership and probably with the largest reputation for alleged corruption, they are the most successful union in organizing.

**Chown:** That's right.

**Levitt:** And for reasons I have seen in many confrontations with them. They seek out employees and say just that, "You organize yourselves." They don't go out and do the very predictable things that many labor unions have been doing for so long.

And in my own profession, when I and my staff start to have clients lose elections, it's going to be because the employees seek collective bargaining, which is the essence of unionism. There is no way to defeat it.

But when it is a business confronting a business and lawyer confronting a lawyer and advisor confronting advisor, and it starts to get out of hand at the top....

**Chown:** Yeah, you're going to win every time.

**Levitt:** Every time, and that's very frankly why we have.

**Chown:** Well, sometimes you have to pull the petition for an election out if the place is packed. There is no point in going ahead and losing, because then you have to wait, under the law, 12 months before you can take another run at it. That's a hard question many organizing committees have to face. People will overestimate what their situation is and think they have the people supporting them when they don't. We usually try to shoot for about an 80 percent sign-up, and we figure when the counter-offensive takes place, we are going to lose votes like crazy. We just keep reading it.

Just as Levitt instructs the supervisors to know every single person, our organizing committee has to know every single person, keep reading faces and if people's eyeballs start twitting, then you figure maybe those persons are changing their minds and you just got to keep at it all the time.

Another hard question is when to strike. One of the first principles of unionism is: Strike when you think it's going to be effective. Don't do it on the employer's timetable.

So you might have to hang tough for some months when new workers are brought in during an organizing drive until the situation settles down. You might well swing some of them over to your side. Again, it's a question of tactics and strategy, but you'd be better off, generally as a group, if you've won a representation election. Then you've got whatever process it takes till you are finally certified by the NLRB, and you have a year of protected time in which to attempt to negotiate a contract.

**Student:** Brother Chown, I'm very discouraged. I thought I'd lead the union if I heard you, but you're just saying at this union meeting, when we're in all this trouble, you just make it sound hopeless. You're trying to say that we have to convince all the workers on a whole new approach to life and philosophy and everything. Have you ever actually organized a union this way, being so calm and slow and saying you have to pull back sometimes?

**Chown:** Sure, many times. That's the only way we've been able to do it in the last few years.

Very candidly, from the point of view of our union, we've won some very important elections in the South, the Tampa, Florida, big Westinghouse atomic turbine plant, and a big GE plant in North Carolina, but these struggles took about four years

before we won an election. Months of people talking about all issues until they were ready to back us. Other unions had tried before we came in there and lost elections very badly, overwhelmingly swamped. Everybody working there had all lived through those experiences. The company people can very quickly exploit all of that baloney; you know, "Sign a card and workers' heaven is going to drop down on you." You get creamed every time you try it that way.

So, nothing in life is easy and if people get too discouraged, like you're coming out of this session, well, we'll have to let the world roll around a couple of times and maybe you'll begin to look at it somewhat differently.

Fortunately, when it's laid out this way, what people are going to have to go through, what they are going to have to expect, some people decide to stick with the union. It's taking on a lot. It's changing your life. It changes the lives of people who really vigorously engage in this thing.

If you're not ready for it, then you're not ready to have a union, really.

## **2 ♦♦ FROM STRIKE TO DECERTIFICATION FIGHT: THE DANLY MACHINE STORY**

**♦♦Joe Romano♦♦**

*Joe Romano is president of United Steelworkers of America (AFL-CIO) Local 15271.*

*He was interviewed by Debbie Albano for the June 1985 edition of Labor Today, reprinted with permission.*

**"Only once did something like this happen in my forty years on the job. It's next to impossible."**

Those were the words of a representative of the National Labor Relations Board (NLRB) at the close of a decertification election (that failed) at the Chicago plant of Danly Machine. They sum up an 11-month struggle waged by Local 15271 of the United Steelworkers of America (USWA). By a margin of 2 to 1, the workers at Danly voted to retain the union.

Joe Romano, who was re-elected without opposition to a third term as the Local's president, said: "The company attempted everything you can think of. But it didn't work."

In a candid interview, Joe explains why the company's schemes didn't work and how Local 15271 got a contract and saved their union.

**Q:** Did you really anticipate such a prolonged strike?

**A:** Well, we knew we were in for some difficult times. Two

years prior to the expiration of the contract Danly was bought out by the Ogden Corporation. At that time, the new owners asked for concessions—asked for the contract to be reopened and renegotiated.

We scrambled and did some research. We wouldn't even discuss the idea of reopening. We ran them in circles—but kept away from it. Discussing would be the same as reopening, we thought.

They were very angry. They wanted the union to take a vote. We wouldn't. There was nothing to vote on. The contract hadn't expired.

But, we anticipated problems in negotiations. We had a lot of people laid off. We were distributing food already to the people on lay off. So, we continued that, but every Friday, along with the disbursement of food, the laid-off workers also had to attend a meeting (about negotiations). So, I talked to the laid-off people every single Friday. At the end of the shift at 4:00, I'd have a meeting for the people who were working that day. Then I'd come back again at midnight and have a meeting with the night shift people.

We did this every single week for six months prior to the expiration date of the contract. And on May 1, 1984, the members voted 97 percent to reject the contract.

After we went on strike, continuing to date, we'd have a meeting every single Sunday.

By doing this it helped to dispel the rumors, to educate the members about things that were happening or things that we anticipated happening, by telling the people ahead of time, and they would then see it take place. It built a trust and a confidence in the union and our judgments.

**Q:** What were the main strike issues?

**A:** That's unique about our strike, too, I think, for these times. There were really no monetary issues.

They wanted a two-tiered wage structure, change in seniority provisions and representation rights. It was really about union principles.

We had 18 people terminated for strike activities. They reduced 12 of the terminations to disciplinary suspensions and the other six they said they would remove all discipline from their record and they'd give them \$25,000 each, but they'd have to go. That was included in the second offer—which was also turned down. Only six people voted for acceptance—and that

after being out eight and a half months.

After we rejected the second offer in December, we got a decertification election notification.

**Q:** Had you expected a decertification fight?

**A:** Well, not at that time. We had thought that if the strike went for a year, we'd probably face that.

When we got notification we were obviously a little nervous. We had worked on the firings and had gotten all of them changed to suspensions... and gained in getting in the contract a provision for a good percentage of the people to go back to work immediately. So we recommended a contract.

We did so reluctantly, though. The people were ready to hold. But the work was there. Danly was getting busy. We didn't want to win the battle and lose the war. We set the vote for January 21 and the contract was approved. We thought it would cut off the decertification petition—but, obviously, it didn't.

The NLRB ruled that since the petition was filed when we didn't have a contract that it was a valid petition. Now we were really in a rough situation.

**Q:** How did you fight the decertification?

**A:** Well, there was so much bitterness... so much bitterness. I'm not going to lie. I was one of the worst. I projected it from the podium every week. In fact it was suggested by some of the people from the International, and I listened to them, that during the decertification fight everyone could and should go out to the gates "except you."

We were faced with the situation under the Board ruling that the majority of our people were not going to be able to vote. Two thirds of the eligible voters were going to be scabs. Yet, in the end, we defeated them by a significant margin. So, we had to do some turn arounds that were just impossible—or that people felt were impossible—but, obviously, they weren't.

We had people on the phones every day. People who were the most militant who would bite hard and call people they knew. They brought in some "crossovers" for me to talk to.

All the time we spoke with them, though, we never apologized, never said "sorry" for anything. If we had called 'em a son of a bitch, it was because they had been. We wouldn't surrender any of our dignity. We told them, "It wasn't us but you who did wrong." The main focus was trying to make people

understand that in spite of the fact that they were scabs (we didn't say it that way, exactly) the real villain was the company who produced this. That our common interest, as workers, needed a vehicle to fight the company.

We leafletted every single day with a different leaflet, trying to address every question that possibly would come up. In that three week period we sent out seven mailings. We made lists and developed phone banks so that every new hire, every "crossover," every union member working or on layoff, was reached.

People realized the need. The workers had put too much of their life into this. People spent time, not just at the gates, but here in the hall cooking, cleaning, answering phones. People visited workers at their houses, waited for them at the gates. Some put in 14 to 15 hours a day here.

**Q:** What about other union support?

**A:** The kind of solidarity between major unions that took place here is rare.

During the strike, not only people from other locals would come out, but a lot of money was sent too—from USWA, UAW, the Chicago Federation of Labor, the Food and Commercial Workers, the Jewish Labor Council—and so many small locals.

One time, we had a fire truck from the Chicago Fire Department pull up in front and block the gate! That was really terrific. When the Firefighters had had their strike, we had been there, too. They remembered and responded.

**Q:** Did you have an organized women's support group?

**A:** No, we didn't. In retrospect, we should have. So many women participated, Danly workers and wives of Danly workers were on the line every day. But, we took this tremendous resource for granted, I think.

**Q:** Was there any attempt to use racism to break the strike?

**A:** Yes, there was. But the company made it so obvious. We found out that the company had targeted certain areas in the black community for recruitment. It was an obvious attempt to create something "racial."

We had a little problem with that with our people. But, we'd say, "Look, don't you see this Black guy sitting next to you at the union meeting? Don't play that shit. That's their shit—the company's shit, not ours."

**Q:** What were the lessons for your local—and for the labor movement?

**A:** More than anything we really developed an understanding of what it takes to build a unified fight: the educational process and keeping the contact with the members all the time.

I don't know if I'm saying it right, but, there were people that I never got along with too well. But because of a common goal, something emerged that created a closeness as workers—not just as my buddy Charlie. In some cases, buddy Charlie crossed the picket line. But the relationship with those who didn't cross was one of workers who understood what unions were about.

Labor has to understand that if it's going to survive at all, it has to change its approaches. Concessions have blown up in steelworkers' faces. We can't embark on concession bargaining. We've got to give people a reason to belong to a union. People won't defend their unions if we allow the companies to get away with trying to force us back to sweatshop-like working conditions.



# **3 ♦♦ DESTROYING FIFTY YEARS OF LABOR LAW**

## **THE PRESIDENT CREATES A CRISIS**

### **♦♦ The Editors ♦♦**

Since it came to power, the Reagan administration has waged relentless attacks on organized labor, combining frontal assaults (as in busting PATCO) with "starve-em-out" tactics (as in NLRB delays) and callous disregard for working people's well-being (as in OSHA cuts). Throughout, Reagan has appointed foxes to guard chicken houses.

Reagan broke the strike of PATCO's air traffic controllers early in his administration, putting 14,000 skilled workers out of work and out of their industry; he destroyed the union. He appointed a Secretary of Labor with no ties to the honest, militant union movement, who had to resign under attack for alleged ties to organized crime. His backers and supporters are busy getting rid of federal regulation of employers, saying state regulation is better, while, at the state level, they are busy getting rid of state regulation of wages, hours, and working conditions, in favor of "freedom for employers."

Reagan also failed to ask the Senate to ratify the UN Covenant on Economic, Social and Cultural Rights, which would bring U.S. labor practices under world standards and scrutiny, and he discouraged U.S. participation in the International Labor Organization.

By 1985, Reagan's policies had created a crisis for workers seeking to exercise their rights in unions in the United States.

## HISTORICAL BACKGROUND

♦♦ Committee on Government Operations, 98th Congress,  
2d Session, October 4, 1984 ♦♦

*From Committee report, "Delay, Slowness in Decisionmaking, and the Case Backlog at the National Labor Relations Board", based on a study by the Manpower and Housing Subcommittee.*

Almost 50 years ago, Congress enacted the Wagner Act or National Labor Relations Act (29 U.S. Code Sections 141-168) which has served as the backbone of our system of labor-management relations and collective bargaining. The Act guarantees to employees the right "to form, join, or assist labor organizations," "to bargain collectively," and to engage in "other concerted activity" for their mutual aid and protection. To protect these rights Congress made it unlawful for employers to engage in certain acts, called unfair labor practices, which interfere with or restrain employees in the exercise of their right to join labor organizations and to bargain collectively concerning their wages and working conditions. In addition, the Act set up election machinery to permit employees to choose collective bargaining representatives.

The National Labor Relations Board was created by Congress to administer, interpret, and enforce this primary labor law. This independent Federal agency has two principal functions: (1) to conduct elections to determine if workers wish to be represented by a labor union in dealing with their employers; and (2) to prevent and remedy unfair labor practices. The NLRB initiates no cases on its own motion. It acts only upon those charges of unfair labor practices and petitions for employee elections which are filed with it.

The Wagner Act was amended by the Taft-Hartley Act of 1947, which made it unlawful for a labor organization to engage in certain enumerated unfair labor practices. It also created an independent General Counsel who was given final authority in respect of the investigation of charges and issuance and prosecution of complaints before the Board.

The Act was further amended in 1959 as part of the Landrum-Griffin Act. In 1971 postal workers were brought within the Act's coverage. In 1974 Congress extended the Act's jurisdiction to private non-profit hospitals and nursing homes.

Each of the five Board members is appointed by the Presi-

dent, by and with the advice and consent of the Senate, for a term of five years. The terms are generally staggered. The General Counsel is appointed by the President, also by and with the advice and consent of the Senate, for a term of four years.

## **NLRB PERSONNEL UNDER REAGAN**

### **♦♦The Editors♦♦**

Studying the NLRB's track record during the early 1980s, it becomes clear that the Board has been stood on its head, rendered virtually ineffective in protecting the rights of workers to organize, and frequently damaging unions. The problems under Reagan run wide and deep, concerning personnel, procedure and substance.

The Reagan Administration has consistently appointed people with little understanding or appreciation of workers and labor unions to head the very agencies that are charged with critical responsibilities in protecting worker interests—the Department of Labor, the NLRB, the Equal Employment Opportunity Commission, the Occupational Safety and Health Administration, and the Office of Personnel Management. Labor lawyers have compiled detailed lists of appointees drawn from the ranks of the anti-union National Right-to-Work Committee, its Legal Defense Foundation, and employer front groups that have taken the lead in fighting union security laws and financing countless lawsuits against unions.

During congressional hearings, William Clay (D-Mo.) said of Reagan's second nominee as NLRB chairman, Donald Dotson, "I certainly would not want an activist member of the Ku Klux Klan judging me in the courtroom. I think this comes to the same thing."

## **NLRB DELAY UNDER REAGAN**

### **♦♦Committee on Government Operations, 98th Congress, 2d Session♦♦**

*From Committee report, "Delay, Slowness in Decisionmaking, and the Case Backlog at the National Labor Relations Board".*

## Introduction

In response to numerous requests and complaints from parties awaiting decisions from the National Labor Relations Board (NLRB), the Government Operations Subcommittee on Manpower and Housing conducted an investigation, and on November 2, 1983, held an oversight hearing on the case backlog at the NLRB. Six months later, on May 9, 1984, a second day of hearings was held to see what progress, if any, the Board had made in reducing the case backlog and to re-examine the reasons for the slowness in decision-making by the Board.

The focus of these hearings and this resulting report is not on issues of substantive labor law or the merits of particular cases but rather on the Board processes, the impact that Board delays in issuing decisions have on workers, unions, and employers, the reasons for the enormous case backlog, and steps necessary to reduce this delay and backlog.

## The Tremendous Impact that Delay and the Case Backlog Have on Workers

Delay is in no one's interest except for a small minority of employers who use it to their advantage as a weapon to prevent workers from exercising rights given to them by the National Labor Relations Act. Substantial and prolonged delay, in and of itself, prevents the National Labor Relations Act from operating the way Congress intended. Delay works against organizing efforts and against people who would like to join labor unions.

At the hearings the Subcommittee was told of the tremendous impact that delay has on people's livelihood and the economic well being of their families. The Subcommittee heard of the frustrations and disillusion of people who have been waiting, sometimes for several years, for the Labor Board to decide their cases. Lives have been ruined by the delay and human beings have been hurt.

In the *Spencer Foods* case, in July, 1981, an Administrative Law Judge had issued a decision, finding a violation and recommending reinstatement and back pay. At the time of the November 2, 1983 Subcommittee hearing, 418 people had been waiting for more than two years for the Board to issue its decision. [The Board subsequently issued a decision in this case on March 1, 1984.]

The problems and frustrations heightened in the period after the Administrative Law Judge's decision. It became more difficult for the workers to get jobs because prospective employers were afraid they would leave right away.

Many people, unable to find jobs, had their mortgages foreclosed, lost their homes and their cars. The financial pressures caused an unprecedented number of divorces in the local community.

Thomas McGrath of the International Typographical Union described the anger and frustration of waiting for a Board decision:

We must watch our brothers and sisters lose their homes, their cars, and 21 or more years of good credit ratings, as we wait for a decision. We have seen our members lose their life savings as they try to hang on to their homes that it took an entire life of hard work and honest labor to build.

McGrath further told the Subcommittee:

When we could no longer wait and watch, we acted. Last December two dozen of our members came to Washington dressed in Santa Claus outfits and picketed the Board offices. We hoped a little public embarrassment would remind the Board of our case and that there would be no Christmas for us that year. If we thought it would help, we wouldn't hesitate to do it again and again.

Murray E. Schwartz, President of the Newspaper and Mail Deliverers' Union of New York and Vicinity, told the Subcommittee of the need for a decision, any decision, so that people are not left in some limbo state.

Many witnesses were so frustrated waiting for a decision from the Board to issue in their cases that they would prefer to have the case decided immediately by the flip of a coin.

## Findings and Conclusions

- A. The National Labor Relations Board is in a crisis. Delays in decision-making at the Board level and a staggering and debilitating case backlog have resulted in workers being forced to wait years before cases affecting their livelihood and the economic well-being of their families are decided. We have reached a point where legal rights given to employees under the National Labor Relations Act are in jeopardy because of the Board's failure to issue timely decisions. Delays by the Board in deciding cases also impact adversely

on employers since a company's potential monetary liability rises while the case is pending before the Board.

- B. The greatest bottleneck in the processing of an unfair labor practice case is the time it takes for the Board to issue a decision....
- C. The case backlog at the Board has risen to a record level at a time when there has been a significant decrease in the flow of cases to the Board....
- D. The most visible problem affecting delays in issuing decisions and the Board's backlog of cases has been the turnover in Board membership, and the failure to promptly fill vacancies on the Board.
- E. An equally significant factor accounting for the slowness in decision-making by the Board and the enormous case backlog has been the extensive and far-reaching re-examination and re-evaluation of prior Board case law in so many areas by a majority of the new Board members. This broad re-evaluation has caused many hundreds of cases to be "frozen" or held up because they relate to issues that the Board is reconsidering. In addition, decisions have been delayed or have not been forthcoming in many routine cases because of the Board's priority for the re-examination of prior Board case law. This has led to a breakdown of the regulatory system.
- F. This extensive re-evaluation of prior Board law has not been limited to cases which come to the Board in the normal course. Since January, 1983, the Board has asked Courts of Appeals to return 17 cases to it for reconsideration of the prior Board decision. In one of those cases, *E.I. DuPont De Nemours and Company*, the Board went so far as to take the highly unusual step of asking the Court of Appeals to return the case to it for reconsideration *after* the court had already issued a decision in the employee's favor.
- G. The President's failure to nominate anyone to be the fifth Board member, a position that has remained unfilled since Member Howard Jenkins' term expired in August, 1983, is in itself responsible for the Board's inability to decide several important cases....
- H. The delay by the Board in issuing decisions has not been limited to so-called "lead" cases or to cases involving novel or complex legal issues. The Board has taken an excessive and unreasonable amount of time to decide even the simplest summary judgment cases.... As of May 3, 1984, the

median age of summary judgment cases *awaiting decision* before the Board was 184 days.

...

## Conclusion

The National Labor Relations Board is in a crisis. Delays in decision-making by the Board and a staggering case backlog have forced workers and employers to wait years before cases are decided. These delays have frustrated and jeopardized the purposes of the National Labor Relations Act and have caused workers to lose faith in the system.

Chairman Donald Dotson has suggested that it could take two and a half to three years for the Board to reduce its case backlog to an acceptable level. We cannot afford to wait several years to get the Board decision-making process back on track. Changes in the appointment process and the system of processing and deciding cases are necessary now.

## NLRB DECISIONS UNDER REAGAN

### ♦♦ United Food & Commercial Workers Legal Department ♦♦

*From "The Reagan Board or How to Undo 50 Years of Labor Law in Three Easy Appointments", An Analysis of NLRB Decisions under the Reagan-appointed Majority (through August, 1984). Footnotes in the original have been adapted for uniform citation.*

### Employee Rights

Employers like to design rules to keep workers who desire union representation from talking with their colleagues. The Reagan Board has made it easier to do this. New NLRB decisions allow employers to adopt rules that are not clear to employees; they hope confusion will discourage workers from exercising their rights. (*Our Way, Inc.*, 268 NLRB No. 61 (1983)).

Reagan appointees have also given employers greater freedom to fire employees who vocally assert their rights. Now employees are not protected by the National Labor Relations Act if they get fired after protesting hazardous working conditions, filing for workers' compensation or seeking back wages

due them. This overturned a precedent set by the NLRB under Republican President Gerald Ford. (*Meyers Industries, Inc.*, 268 NLRB No. 73 (1984)).

Employers will also be able to discipline employees who are subpoenaed to testify before government investigating bodies. In one case, nursing home employees testified about patient abuse at a state hearing, and were disciplined. The Board ruled they were not protected by labor law because they were attempting to improve patient care rather than working conditions. (*Autumn Manor, Inc.*, 268 NLRB No. 29 (1983)).

## Right To Strike

The Reagan Board has also made it easier to punish employees who choose to exercise the right to strike. If strikers tell off scabs during a strike, the company can refuse to reinstate the strikers when the strike is over. Under *Clear Pine Mouldings, Inc.*, (268 NLRB No. 173 (1984)). The company just has to prove the strikers' statements to "reasonably tend to coerce or intimidate" the nonstriking employees. Until this NLRB decision, a long line of cases decided by the Nixon, Ford, and Carter Boards held that words alone, unaccompanied by overt acts, did not warrant the denial of a striker's reinstatement. *E.g.*, *Coronet Casuals*, 207 NLRB 304 (1973).

Application of this rule is certain to have a chilling effect on the free speech rights of workers. The First Amendment protects pure speech from governmental restraint; even threats to kill are protected where the circumstances show them to be simply letting off steam or hyperbole. There are a lot of emotional confrontations on picket lines between striking and non-striking workers, but the statements are not really threats of violence. (268 NLRB No. 173, *slip op.* at p. 15, n.2 (concurring opinion)). *Clear Pine Mouldings* is contrary to the American tradition of free speech, and it ignores industrial reality.

## Unlawful Discharges

The Reagan Board will accept an employer's simple explanation for firing a worker unless the union presents overwhelming evidence of intent to discriminate. One example is the decision in *Old Tucson Corp.* (269 NLRB No. 88 (1984)). The majority of the Board dismissed a complaint alleging unlawful firing of a vigorous union supporter who assisted in an unsuc-



cessful union organizing campaign. Without comment, the Board accepted the employer's assertion that the discharge was due to a "cost-reduction program." Board member Don Zimmerman dissented. He pointed to evidence in the record strongly suggesting that the employer's stated reason for the discharge was not the true reason.

The evidence showed that the company threatened the worker with discharge during the organizing campaign. Months later the company won the NLRB election and ordered a supervisor to get rid of the union supporter. This supervisor was also eventually discharged, evidently because he recommended the employee for rehire! At a hearing, the supervisor praised the employee for having a "highly cooperative attitude." It was also shown that the employer achieved no cost savings by the discharge because the targeted number of layoffs had already occurred and a replacement employee was hired.

### Interrogation of Employees

The Reagan Board has also recently changed the law concerning questioning of employees in *Rossmore House*, (269 NLRB No. 198 (1984)). Employers may now question employees about their union sentiments and activities during an organizing campaign, as long as the employees openly support the union and the company makes no blatant threats of reprisal or promises of benefit. *Rossmore House* overruled decisions issued by the Ford and Carter Boards finding similar questioning to be unlawful. This line of cases had to be overruled, Reagan's Board majority reasoned, because the old decisions "improperly established a *per se* rule that completely disregarded the circumstances surrounding an alleged interrogation and ignored the reality of the workplace."

### Collective Bargaining

The Reagan Board has changed the emphasis from encouraging collective bargaining to encouraging competitiveness. For example, the Reagan appointees decided a company could move its operations without consulting the union and escape its collective bargaining obligations, unless such a move was specifically barred by the union contract. (*Milwaukee Spring*

*Division of Illinois Spring Coil Co. II*, 268 NLRB No. 87 (1984)).

Expanding this new loophole, the Board ruled that a company did not have to bargain over a plan to close two operations and consolidate them in a third. (*Otis Elevator Co.*, 269 NLRB No. 164 (1984)).

Several recent cases show how the Reagan Board has limited the scope of an employer's duty under the Wagner Act to bargain over "mandatory" subjects of collective bargaining, 29 U.S.C. sec. 158(d). For the first time in the history of the Act, the Board gives more weight to the competitiveness of business operations than to stability in collective bargaining relationships.

In *Milwaukee Spring Division of Illinois Spring Coil Co. II*. (268 NLRB No. 87 (1984)) they decided that an employer could relocate a plant, unilaterally, in the middle of a contract, to escape high wages. This is not an unfair labor practice unless it modifies a "specific" term "contained in" the collective bargaining agreement. The Board said the parties did not include a work preservation clause in their agreement. In reaching these conclusions, the Board also overruled three earlier decisions. *University of Chicago*, 210 NLRB 190 (1974), *enforcement denied*, 514 F.2d 942 (7th Cir. 1975); *Boeing Co.*, 230 NLRB 696 (1977), *enforcement denied*, 581 F.2d 793 (9th Cir. 1978); and part of *Los Angeles Marine Hardware*, 235 NLRB 720 (1978), *enf'd.*, 602 F.2d 1302 (9th Cir. 1979).

It should be noted that two of these cases were decided by the Nixon and Ford Boards, and were not "excesses of the Democratic Carter Board."

In *Otis Elevator Company*, the Reagan Board held that a company did not have to bargain with the union over its decision to close operations at two locations and consolidate them at a new third location in order to redesign its product and reduce production costs.

The human cost to the employees was made secondary to property and profit concerns of the employer.

## Representation Elections

The NLRB has always had wide latitude in determining the appropriate unit for bargaining. The Reagan Board has used this power to establish units that give an employer an advantage in fighting the union.

In the retail industry, the Board had long held that single store bargaining units were the rule. The Reagan Board disregarded this presumption and ruled in favor of multi-store units as the only appropriate unit. They made this decision even where store managers have broad powers to supervise the day-to-day work of employees. (*Ohio Valley Supermarkets, Inc.*, 269 NLRB No. 69 (1984)).

In the health care industry, the Reagan Board overruled its own 1982 decision and misstated Congressional intent. They established the largest possible units, even where they mix a wide variety of employee functions. (*St. Francis Hospital II*, 271 NLRB No. 160 (1984)).

As a result, workers and their unions cannot look to the NLRB as currently constituted for vindication of their rights.

## WORKER SAFETY AND HEALTH

### ♦♦ The Editors ♦♦

*From background material prepared for active labor people in 1984.*

Occupational injuries and illnesses are killing America's workers. Solvents, asbestos, welding fumes, radiation, unguarded machines and faulty scaffolding are among the culprits. More than 25 million workers are exposed to toxic substances on the job. Every year, occupational injuries claim the lives of more than 10,000 workers and an estimated 100,000 workers die of occupational related diseases. The following figures show the seriousness of this threat: 200,000 deaths due to asbestos by the end of the century; 5.5 million on-the-job injuries a year (requiring hospitalization for 3.3 million); at least 100,000 deaths annually from exposure to deadly chemicals and other toxic materials; and 390,000 new cases of occupational disease each year. Scientific evidence shows that toxic substance exposure affects family members and future generations as well.

Voluntary management actions and free market "incentives" do not result in adequate protection. Strong government regulations and enforcement of these regulations are needed to protect workers on the job. The Occupational Safety and Health Act (OSHA) was enacted in 1970 to guarantee workers adequate safeguards. The Reagan Administration has systematically moved to roll back and weaken necessary workplace

protections guaranteed by OSHA. Strong regulations and enforcement have been abandoned in favor of voluntary compliance and "cooperative" efforts which put corporate profits far ahead of worker production.

The Reagan OSHA record shows an alarming callousness toward worker health and safety:

- ♦ The number of inspectors has been cut by 25 percent.
- ♦ Follow up inspections to assure correction of hazards have dropped by 86 percent.
- ♦ Citations for serious violations are down 41 percent.
- ♦ Penalties have declined 74 percent.
- ♦ Inspections are reaching 45 percent fewer workers than in 1980.
- ♦ The rights of workers and their representatives to require an OSHA inspection of their workplace have been restricted.
- ♦ "Walk-around pay" for workers who participate in OSHA inspections has been cancelled, diminishing their opportunity to demand OSHA rights.
- ♦ Thousands of substances have been eliminated from the list of chemicals covered by OSHA's Access to Exposure and Medical Records Standards. These standards are critical to workers and their union representatives in monitoring workplace safety and health.
- ♦ Reductions in protections provided by standards regulating lead, cotton dust and diving have been proposed.
- ♦ Emergency action to regulate or further regulate formaldehyde, arsenic, asbestos, benzene, ethylene oxide (EtO) and ethylene dibromide (EDB) was delayed.
- ♦ Workers have become demoralized. The number of workers who requested a complaint inspection fell from 29,000 in 1980 to 13,000 in 1983. 1984's complaint inspections were the fewest in OSHA's 13 year history. More than half of all worker complaints failed to generate an inspection.
- ♦ The OSHA enforcement budget has been reduced in real dollars, and the number of inspectors has fallen from 1,289 in 1980 to 880 in 1984. More than a third of OSHA's field offices have been closed.
- ♦ During the past three years, actual workplace inspections are down 16 percent; serious citations are down 47 percent; willful citations are down 92 percent; assessed penalties are down 80 percent; and workers covered by law are down 45 percent.

- ♦ Follow-up inspections that ensure abatement of cited hazards and inspections in response to worker complaints are now often supplanted by paper inspections that review employer's records but do not evaluate workplace hazards.

OSHA has tried to apply "cost-benefit analysis" to the cotton dust standard—balancing the benefit to the textile industry against the cost to workers' health. Fortunately, the U.S. Supreme Court struck down the agency action.

Under Reagan, OSHA has attempted to turn its responsibility for safety and health enforcement back to the states, despite the fact that it was the poor record of the states in fulfilling this responsibility that caused Congress to enact the federal OSHA law in the first place.

The National Institute for Occupational Safety and Health (NIOSH) plays a crucial role in protecting workers' safety and health. NIOSH works in conjunction with OSHA and MSHA to provide technical information about job safety and health hazards, such as scientific analysis of the effects of workplace chemicals on employees' health.

The Reagan Administration was not satisfied with weakening NIOSH through budget slashes; in addition, the Administration asked Congress to exile NIOSH headquarters from suburban Washington, D.C. to Atlanta, Georgia. The AFL-CIO asked Congress to deny funding for the transfer, noting that it would debilitate the agency's work because many of its most qualified staff members would be unable to make the move. Reagan's Secretary of Health and Human Services Richard Schweiker rushed to implement the transfer before Congress could consider it more carefully and possibly rescind the funding.

## Child Labor

For more than 40 years, the Fair Labor Standards Act has prohibited the use of child labor in certain industries and in certain hazardous occupations. The Act also restricted total hours minors could work.

In 1982, the Reagan Administration proposed to "liberalize" regulations that restricted hours of work for 14 and 15 year olds and "broaden" the range of jobs the young people could be hired to fill. There was an immediate public protest, followed by hearings conducted by Congressman George Miller's (D-

♦♦ NATIVE AMERICAN IRONWORKER ♦♦



Government moves to cut back Occupational Safety and Health (OSHA) programs make the jobs in the building trades industry—often dangerous to begin with—even more perilous.

♦♦ Credit: Rick Hill, 1982; reprinted with permission of Reinhard Schultz, The Other America Project, Berlin (West).

Calif.) Subcommittee on Labor Standards. The Subcommittee heard testimony by academics on child health and welfare and by representatives of the National Child Labor Committee and the AFL-CIO on the potentially harmful effects of the Reagan Administration proposal. In the face of public protest and media coverage of the Subcommittee hearings, the Reagan Labor Department was forced to drop the proposed regulations.

### **Youth Subminimum Wage**

In 1985, President Reagan, allied with the fast food industry, introduced a "new, improved" version of the youth subminimum wage to Congress. An across-the-board youth subminimum wage had received such an outcry of protest early in the Reagan term that it was abandoned. Professing great concern over the high unemployment rates for youth, particularly minority youth, Reagan offered an 85 cents an hour wage cut as his summer job program. This proposal would result in windfall profits for the corporations who will benefit from a new pool of cheap labor.

The Reagan subminimum would allow employers to hire workers under 20 for \$2.50 an hour from May 1 through September 30. The two proposed bills (S. 2687 and H.R. 5721, (1984)) encouraged unscrupulous employers to fill their seasonal jobs by displacing minimum wage youth and adults from those jobs they depend on and by replacing them with youths at three-fourths the former pay. The proposal is discriminatory and unfair. Persons doing the same work would be paid differently based solely on age.

When Congress passed the Fair Labor Standards Act in 1938, establishing a uniform national wage floor, Congress specifically considered and rejected several youth subminimum wage proposals. The FLSA has been amended six times since then, expanding coverage and raising the wage floor to offset for inflation. Also in 1981, the Minimum Wage Study Commission emphatically rejected the youth subminimum. Commission Chairman James O'Hara concluded: "the payment of a subminimum wage to a particular age group is so at conflict with the basic purposes of the Act and the requirements of social justice that it ought to be rejected as a policy option even if we thought it would substantially reduce youth unemployment and more so when, as here, the alleged benefits of a sep-

arate and lower wage/hour cannot be demonstrated.”

While Congress has continued to reject a youth subminimum, it did establish a student subminimum at 85 percent of the minimum, allowing employers who meet minimum requirements to hire full-time students, trainees, and certain handicapped workers. At present, about 500,000 full-time students are now employed at \$2.84 per hour. These students will be among those workers threatened by displacement if employers were given a chance to cut their wage bill even further to \$2.50 an hour.

Rather than providing our youth with jobs, skills and training they need to fully participate in tomorrow's economy, the youth subminimum only pits one group of workers against another. This is precisely the kind of worker exploitation the 1938 Fair Labor Standards Act was designed to eliminate.

### **Other Important Workers' Rights Under Attack**

The indictment of the Reagan Administration's labor policies also covers attacks on the eight-hour day, homeworkers, health care workers, and the Davis-Bacon Act.



Angry because you still need money to go to school, and money to get medical care, and this is America. Angry that kids in Africa starve, and kids in Chicago eat out of garbage cans, and Reagan says let 'em eat Nukes. Angry because the rich keep getting richer by making us poorer, and we can't seem to get organized to fight back. Yeah, I'm as angry as ever, about a lot of things.

Most of all, I'm angry because there aren't enough "angry young men."

## **5 ♦♦ THE CHANGING SITUATION OF WORKERS AND THEIR UNIONS**

### **♦♦ AFL-CIO Committee on the Evolution of Work ♦♦**

*Excerpts from the Committee's Report, issued February, 1985.*

Ten thousand times has the labor movement stumbled and bruised itself. We have been enjoined by the courts, assaulted by thugs, charged by the militia, traduced by the press, frowned upon in public opinion, and deceived by politicians.

But not withstanding all this and all these, labor is today the most vital and potential power this planet has ever known, and its historic mission is as certain of ultimate realization as is the setting of the sun.

Eugene V. Debs  
after the Pullman strike in 1894.

The nature of work, the organization of the workplace, and the size, location, composition and background of the workforce have been changing at an especially rapid rate in recent years and that process of change is continuing unabated.

Given the magnitude and velocity of these destabilizing changes, the labor movement has demonstrated a notable resiliency. Unions represent over 20,000,000 working men and women in the United States. Organized labor remains a vital force for progress in this nation; no serious observer denies that unions have played and continue to play a civilizing, humanizing and democratizing role in American life.

But despite their accomplishments, unions find themselves

behind the pace of change. During the 1960s and 1970s, the American workforce grew in an unprecedented way—adding 1.3 million new workers per year in the 1960s and 2.1 million new workers per year in the 1970s—whereas the labor movement's membership remained static as gains made in organizing were offset due to job losses in basic industries. In the 1980s, union membership has shown a decline in absolute numbers as well as in percentage terms. The proportion of workers who are eligible to join a union and who in fact belong to a union has fallen from close to 45 percent to under 28 percent since 1954; using the measure of percentage of the entire workforce, the decline has been from 35 percent to under 19 percent.

The AFL-CIO Executive Council created the Committee on the Evolution of Work as part of its effort to assess the significance of the changes in the work environment for the Federation and its affiliates. To do so, it is first necessary to review the labor movement's premises.

Unions are, first and foremost, organizations seeking to improve the lives of those they represent by improving their conditions of work and by insuring respect for their dignity as workers. Organized labor believes that each worker is entitled to a fair day's pay for a fair day's work. That pay should include a share in the profits the worker helps to create and, thus, unions seek a larger share of those profits than "market forces" might dictate. And we recognize that those profits can only be created in a well-managed enterprise, where both capital and labor contribute to the result.

Since its earliest days, the labor movement has sought to improve the quality of worklife, create workplace democracy and participate in joint employer-employee decision-making—long before these approaches became fashionable. We understand that confrontation and conflict are wasteful and that a cooperative approach to solving shared present and future problems is desirable. (The problem always is finding those who wish to cooperate in a system of true equality—and until the time our desire for cooperation is fully reciprocated, unions must maintain the ability to meet employer confrontation.)

The labor movement also has sought to improve the conditions of life of its members by improving the conditions of life for all in our democratic society through political action and legislative efforts. Organized labor seeks, in sum, through collective bargaining, political participation and legislative activ-

ity to bring about a broader sharing in the riches of the nation.

[Meanwhile, the] United States—indeed every industrialized nation—is undergoing a scientific, technological, economic revolution every bit as significant as the industrial revolution of the nineteenth century. There is now a world economy in which workers in underdeveloped nations, working at subsistence wages, are producing the most sophisticated goods, and even services, for more developed nations. Technological advances have eliminated scores of jobs, altered the requirements of an equal number, and created entirely new jobs. The success of the labor movement in improving wages and working conditions has had its effect on what workers see as their right, on what workers seek in further improvement, and on what employers recognize as the minimum conditions they must offer.

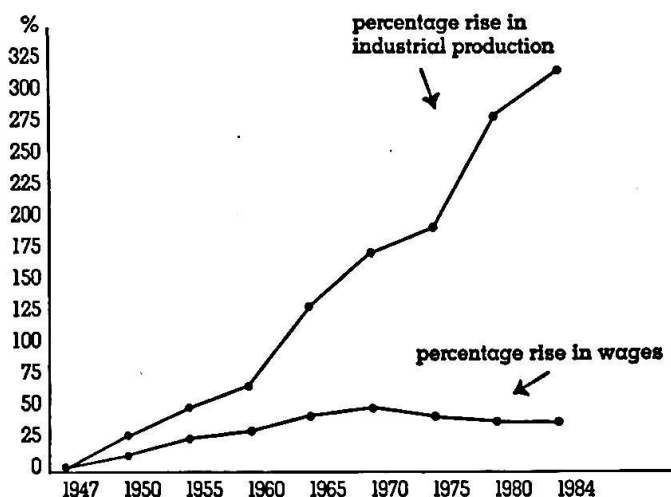
All of those developments are affecting labor unions throughout the industrialized world; none warrants prophecies of doom and despair regarding the future of the labor movement. Such prophecies were ventured 50 years ago, after American unions in the 1920s and 1930s had suffered serious setbacks and the number of unionized workers had declined dramatically; some predicted the demise of the labor movement at that time. In fact the reverse occurred: trade unionists of that era developed approaches attuned to their situation which caught the allegiance of a generation of workers and organized labor experienced a period of remarkable growth.

### **Changes in the Workforce**

The workforce has grown with enormous rapidity and will continue to grow at a rapid, albeit reduced pace, in the 1980s and 1990s; some 17 million people will join the workforce by 1995. Three aspects of this growth have had a particular effect on the labor movement

First, the growth of the workforce has occurred, and will continue to occur, principally in those sectors of the economy that have not traditionally been highly organized. Manufacturing and construction, for example, currently account for 50 percent of the AFL-CIO's membership, but these sectors have declined relative to others and currently employ only 22 percent of the civilian workforce. In contrast, the service sector of the economy has had, and will continue to have, the largest growth. During the 1970s, about 90 percent of all new jobs were added

# ♦♦♦ THE GROWING GAP BETWEEN WAGES AND PRODUCTION ♦♦



The graph above shows the comparative rise of real wages (non-industrial workers) and that of the Industrial Production Index. 1947 equals zero for both (base year). Then with each consecutive year the percentage increase from that base year is shown. Because inflation is factored-out of both lines, this graph accurately shows the dramatic gap between what workers produce and what they earn and how that gap continues to grow.

**SOURCE:** *The Economic Report of the President* (G.P.O., 1986).

in service organizations. By 1990, service industries will employ almost three-quarters of the labor force. Yet, less than 10 percent of the service sector is organized, and only 20 percent of the AFL-CIO membership is in unions representing workers primarily in the service industries.

Second, the growth in the workforce has been and will be concentrated in relatively unorganized geographic areas. Since 1970, population in the "Sun Belt" has grown six times as fast as in the Great Lakes and New England regions, and the states with the greatest increase in the number of jobs were California, Texas and Florida. In the latter two states, only 12 percent of the workers are organized—third and fourth lowest in the nation; in contrast, in New York, Michigan, Pennsylvania and West Virginia, between 35-40 percent of the workers are organized.

Third, the growth of the workforce is creating new patterns in which working people are less likely than in the past to be long-term, full-time employees. Increasingly, workers are members of two-earner families and even three-earner families in which one or more individual works part-time; indeed, approximately 20 percent of the workforce holds a part-time job. At the same time, more workers are employed in unstable operations whose life span is a few years, rather than several decades, and are classified as "independent contractors" or "managers" or "supervisors" rather than as "employees." These interrelated developments dilute the incentive to run the risks currently associated with engaging in organizing activity; indeed, working people not classified as "employees" in the labor laws are subject to open reprisal for seeking to join a union and have no legal right of recourse.

## **The Failure of the Law**

In 1935, Congress enacted the Wagner Act which declared that "Employees shall have the right to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." By the 1950s and 1960s, this principle had gained at least some measure of acceptance, and to a large extent employers did not choose to interfere with their employees' wages and working conditions. And if workers chose a union, employers by and large complied

with their legal duty to bargain with that union in an honest effort to reach a contract.

In recent years, this trend has been reversed. The norm is that unions now face employers who are bent on avoiding unionization at all costs and who are left largely free to do so by a law that has proven to be impotent and a Labor Board that is inert.

It is difficult to quantify this change in employer attitudes and actions, but we all know it is there. A study of organizing campaigns in the private sector shows that 95 percent of employers actively resist unionization, and 75 percent of all employers hire so-called "labor-management consultants" to guide their efforts to avoid unionization at an estimated cost of over \$100,000,000 annually. Many employers—how many thousands each year cannot be determined—discharge union activists. In 1957, the NLRB secured reinstatement for 922 workers who had been fired for union activity. By 1980, that figure had reached 10,000.

Even when workers opt for unionization, unions often face massive resistance in securing a contract; the rate of employer refusal to bargain has been rising twice as fast as even the rate of unlawful discharges. Consequently, after a bargaining unit organizes, the employees are not able to obtain a collective bargaining agreement approximately 35 percent of the time—a substantial increase since the 1960s. And the law's remedy—when it comes—is most often too late to matter.

Nor are anti-union actions confined to not-yet-organized or just-organized employers. Employers with longstanding collective bargaining relationships are closing unionized plants and diverting work to their established non-union plants or to new plants established in non-union areas in the United States and elsewhere. The owners of unionized companies are creating new, paper corporations to do the same work as the organized corporations and are transferring all or most of the work done to these new entities. And unionized employers are engaging in intransigent, bad-faith bargaining in order to provoke a strike so that the employer can replace his employees and oust their bargaining representative.

Two principal factors have combined to make it possible for employers to engage in such hostile actions against employees who wish to bargain collectively. First, as the Committee explained in its first report, *The Future of Work*, the United States has become a society with persistently high levels of

unemployment. Unless current policies are changed, this will continue.

Second, the federal government has done its part to encourage hostile employer actions by providing less and less protection to workers who exercise their right to organize and by setting an example for the most virulently anti-union employers. The Reagan Administration's handling of the air traffic controllers provided a signal to, and the model for, anti-union employers. Thereafter, the Administration turned over the labor law to an NLRB Chairman who has publicly declared that "collective bargaining frequently means... the destruction of individual freedom and the destruction of the marketplace."

Because of these developments, the costs associated with organizing are increasing while the resources available are declining. The experience in this country is that a catalyst is usually needed for a group of individuals to shake the habits of a lifetime and to assert themselves by taking advantage of the opportunities provided by collective action; that is especially true when those individuals are subject to economic reprisal. Union members have always accepted it as their responsibility to start the process of organization. But in recent years, as the size of the workforce has expanded rapidly, the number of union members has declined and the needs of the already-organized have increased, it has become increasingly difficult for union members to meet that responsibility.

## **The Desires and Perceptions of Workers**

The Committee, with the assistance of Professor James Medoff of Harvard University, Louis Harris and Associates, and Professor Thomas Kochan of MIT, reviewed all published surveys on the public attitude toward unions conducted during the past 25 years and supplemented that material with additional surveys. Four aspects of that data are of special relevance to the labor movement.

1. **Attitudes Toward Work**—Americans by and large see themselves as independent, self-confident, self-reliant and skeptical of claims of authority. In line with that perception, workers, particularly better-educated workers, are becoming more insistent on securing more freedom in the workplace. It is increasingly true that the measure of a good job



is high discretion as much as high pay. And despite claims to the contrary, the "work ethic"—the personal need to do one's best on the job—is stronger in the United States than in other western democracies. The striking new factor is a shift in which Americans are less likely to see work as a straight economic transaction providing a means of survival and more likely to see it as a means of self-expression and self-development.

2. **Job Satisfaction**—Fifty-one percent of non-union workers report that they are "very satisfied" with their jobs. But when probed for specifics, only 40 percent or less say they are very satisfied with their fringe benefits or their opportunity to participate in decisions affecting their jobs, and only 28 percent say they are very satisfied with their pay or their opportunity for job advancement. There is, moreover, some indication that the degree of job satisfaction is *decreasing*. In 1973, 57 percent of all workers—figures limited to non-union workers are not available—reported that they were "very satisfied" with their jobs, whereas in 1984 the comparable figure was 51 percent.
3. **Attitudes Toward Unions and Employers**—American workers, and especially non-union workers, are ambivalent in their attitudes toward unions. Over 75 percent of all workers—and over 75 percent of non-union workers—state that they agree that unions in general improve the wages and working conditions of workers. Over 80 percent of all workers agree that unions are needed so that the legitimate complaints of workers can be heard. Yet when asked to assess the effect of organization on their present employer, 53 percent of non-union workers state that wages and fringe benefits would not improve and 74 percent state that job security would not improve.

This same discontinuity is reflected in survey data concerning attitudes toward employers. Almost 60 percent of employees believe that most companies make enough profit so that they can afford to raise wages without raising prices. Yet over 50 percent of workers believe that their own employer provides all the pay and benefits he can afford—and that is true both of unionized workers (54 percent feel that way) and non-union workers (57 percent).

4. **The Policies of Unions**—One fact emerges from the survey data quite clearly: non-union workers do not perceive unions as pursuing an institutional agenda drawn from the

needs and desires of their members. Sixty-five percent of such workers express agreement with the statement that "unions force members to go along with decisions they don't like." Sixty-three percent state that they believe that union leaders—as distinguished from union members—decide whether to go on strike. Fifty-four percent believe that "unions increase the risk that companies will go out of business;" 57 percent believe that "unions stifle individual initiative;" and 52 percent believe that unions fight change. And, among the population as a whole—there are no data limited to non-union workers—50 percent state that they believe that most union leaders no longer represent the workers in their unions. Significantly, workers who are in unions express very different—and far more positive—views of their union.

It is apparent from the foregoing that the labor movement must demonstrate that union representation is the best available means for working people to express their individuality on the job and their desire to control their own working lives, and that unions are democratic institutions controlled by their members and that we have not been sufficiently successful on either score.

### **The Seeds of a Resurgence**

To begin with, it is important to recognize that the decline in union membership that occurred in recent years has *not* been the result of dissatisfaction of union members with their unions but was, instead, a function of the economic recession which hit with particular force in those sectors of the economy that are heavily unionized. (Union decertification, while on the rise because of increased employer stimulation, remains statistically insignificant—one-tenth of one percent.)

Second, despite all the changes that have occurred and are occurring in the workforce, the value of organization for workers remains as great today as when unions began. Our own experience shows that to be true and the data confirm it; unionized workers earn on average 33 percent more than their non-union counterparts. The higher pay of unionized workers generally prevails among all age groups, occupations, and industries.

Third, workers who already are organized appreciate the

benefits of unionization. Over 90 percent of organized workers believe that unions improve the wages and working conditions of members; 67 percent reject the proposition that unions are unnecessary to assure fair treatment; and over 60 percent of unionized workers believe that if their own employer were not unionized, wages and fringe benefits would be lower. Furthermore, almost 75 percent of unionized workers state that they are very satisfied or somewhat satisfied with their union.

Fourth, unions are increasingly successful in enrolling the types of workers who are forming an increasingly large share of the workforce. Labor union members are better educated than the general population, with a higher proportion of both high school and college graduates. Only 16 percent of union members (vs. 28 percent of the general population) have not graduated from high school. Forty-four percent are high school graduates (vs. 39 percent of the total population), and a total of 39 percent have either had some college or completed a college degree (vs. 33 percent). Twenty-one percent of union members (vs. 16 percent) actually completed their college degrees. Economically, union households are typically middle class, with 65 percent earning incomes between \$20,000 and \$50,000 (vs. 53 percent of the general population). This is in large part because union members are much more likely (58 percent) than the general population (34 percent) to see their work as "career, not just a job." By occupational category, 41 percent of members (vs. 33 percent) are in white-collar jobs. Another 20 percent are craftsmen or foremen (vs. 7 percent). And the public understands this: only 24 percent of non-union workers express the belief that unions are only for blue-collar workers; 69 percent disagree.

Fifth, the opinion survey data show that non-union workers accept the fundamental premise on which the trade union movement has been and is based: that workers are more effective in insuring democracy in the workplace and in obtaining redress for their grievances when they act in concert than when they act alone. Forty-seven percent of non-union workers endorse that proposition (as compared to only 42 percent who disagree). And among unorganized service workers, unskilled workers and professionals—groups that will expand in size in the coming years—support for the usefulness of concerted activity is even stronger; over 60 percent agree that a group approach is more effective than an individual approach.

Sixth, and finally—and, in our view, most important of all—

experience demonstrates that the current generation of workers, when given a fair chance to form a union at their workplace, elects to do so in large numbers.

The Canadian experience is especially instructive. Canada has roughly the same type of economy, many similar employers, and has undergone the same changes that we previously have described with respect to the United States. But in Canada, unlike in the United States, the government has not defaulted in its obligation to protect the right of self-organization; rather, Canada's law carefully safeguards that right. And in Canada, the percentage of the civilian labor force that is organized increased in the period 1963-1983 from roughly 30 percent to 40 percent, at the same time that the percentage of organized workers declined in the United States from 30 percent to 20 percent.

Developments in the public sector in the United States have been similar to those in Canada. From 1971 to 1983, AFL-CIO public sector membership grew by over 1,000,000 workers (while membership in the private sector declined by 2,000,000). Today, approximately 50 percent of full-time state and local government employees are organized. Public sector employees are not a breed apart from their private sector counterparts. But in the public sector, while strong anti-union pressure is not uncommon most workers are free to join a union, either because of effective state laws or because public employers do not deprive workers of that right to the same extent as in the private sector.

In sum, a period of resurgence—of sustained growth—is within our grasp. The recommendations that follow are designed to spur such a resurgence.

*See section 100 for the Committee's Proposals for Action.*

what I would do if I were you,  
depending on the predicament  
they were in.

After talking to them,  
they felt rejuvenated to a  
certain degree.  
They laughed and would say,  
you old Indian you.  
And would thank me with  
a hand shake.  
But later to hear, that  
most of the Guys lost all  
their possessions and families,  
and had no alternative but  
to go back to where they  
originally came from, with  
nothing but the memories  
of what used to be, and leave  
behind, in sorrow.  
God bless them all,  
Our Brothers.

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## 7 ♦♦ FIGHTING FOR JOBS OUTSIDE THE WAR MACHINE

♦♦ William W. Winpisinger ♦♦

*William Winpisinger is president of the International Association of Machinists and Aerospace Workers (AFL-CIO).*

*Taken from William W. Winpisinger, "The Military Budget and American Labor," in Defense Sense: The Search for a Rational Military Policy by Congressman Ronald V. Dellums (Cambridge, Mass.: Ballinger Publishing Co., 1983); from William W. Winpisinger's introduction to Let's Rebuild America (IAM 1984); and from speeches delivered at the SANE National Conference in Washington, D.C. March 18, 1984; in Albuquerque, New Mexico, April 12, 1984; and to the National Lawyers Guild Conference on Civil Disobedience in Detroit, Michigan in November 1985.*

### Spending for War Does Not Bring Security

In terms of the nation's economic security, it is easy to see that most people were better off under a halfhearted welfare state than they are today under a fullfledged warfare state. In terms of the individual defense worker's job security, all one has to do is look around and see that while the corporate contractor's value of defense contracts has tripled or quadrupled over the past five years, the number of workers—at least production workers—in any given plant or firm, has been steadily declin-

ing, or at best holding about even, compared to pre-buildup years.

Military spending is a poor job creator. A \$1 billion investment will create 20,700 direct and indirect jobs in guided missile production. That same \$1 billion invested in iron and steel production would create 34,700 total jobs. If we put that \$1 billion into public services, we would create 71,500 jobs in education, 54,260 jobs in health and hospital services, and 39,500 jobs in local transit and intercity transit system.<sup>1</sup>

As for the military buildup paving the road to full employment, forget it.

Expanded military spending will not help solve our unemployment problem. Jobs created by arms production will go primarily to technically skilled personnel and few will be created for the unskilled and semiskilled workers of the country, who are most in need of jobs today. The regional imbalance of military spending will continue to shift employment from the older industrial regions of the Northeast and Midwest right down to the Sun Belt and the Southwest.

When we compare the difference between military and civilian production, in terms of job creation, the Bureau of Labor Statistics finds that production workers make up only 28 percent of the total workforce engaged in guided missile production. Compare that with production workers making up 71 percent of all employees in all other hard goods producing industries.<sup>2</sup>

Looked at in any way, American workers get more job bang per one billion bucks in civilian production than in military production. The opportunity cost of military production weighs heavily against achievement of our full employment goal in the domestic economy.

Conceptually, there is no problem. To most workers, the idea of converting war production to socially needed and useful production in the civilian economy makes good sense.

At the bottom of it all, the link is this: a dollar spent in dead-end military production cannot be spent anywhere else. The U.S. pours hundreds of billions into weaponry, logistical systems and networks for far flung fleets and garrisons, hi-tech, capital intensive military production systems, plus military contractors increasingly export military production through co-production and licensing agreements. This means that huge sums—over \$30 million per hour—are not available to refur-

bish, rehabilitate, rejuvenate and expand our civilian industry and commerce.

In the U.S., for every \$100 available for domestic capital formation, \$46 is spent on the military, compared to \$14 for West Germany and \$3.70 for Japan. More than anything else, this is why the U.S. now trails those two nations in the international trade sweepstakes.<sup>3</sup>

There is sober historical reason for the citizenry to be alarmed, when the argument is made that we need the arms race to provide jobs. In three other instances in recent world history, industrialized nations have sold their people on the idea that a military buildup was the road to full employment. Those nations were Hitler's Nazi Germany, Mussolini's Corporate State fascism, and Tojo's imperialistic Japan.

Military spending should not be predicated on its employment impact, anyway. It should be determined by our real national security needs. A perennial "fright squad" goes about the country raising the spectre of "... the Russians are coming ..." in one breath, and in the next threatens mass unemployment, if it doesn't get whopping military budget increases.

The logical and obvious way to direct federal money from the military into civilian business and industry is through planned Economic Conversion.

## **What Is Economic Conversion?**

The first thing we have to do is define what we mean by Economic Conversion.

Here's the definition we use in the Machinists Union:

Whenever, wherever and for whatever reason military production, whether for goods or services, ceases, then a plan for alternative civilian production will automatically go into effect to make jobless workers and impacted communities economically viable and whole.

Most of you are probably aware that when military production goes into a community, or a military base is located in a community, then those local communities and school districts receive special federal assistance to help pay for additional public services caused by that military production. It makes as much or more sense to provide it when the defense function ceases and moves out of that community.

Advance notice of an impending cutback, transfer of production or shutdown of operations, must be given to the commu-



nity and workers. That notice should trigger an immediate plan of economic action, which would provide money grants to the local community to plan for alternative use of the skills, equipment and plant that the military-industrial complex is abandoning. The plan should provide displaced and laid-off workers income maintenance, health benefit protection, job training and retraining assistance and the means to transfer to another firm or another community to work, if that is necessary.

The time to enact an Economic Conversion program is while the military buildup is on the upswing. Then when it is on the downhill run, there will already be in place a program to avoid the adjustment and hardships that communities and workers inevitably suffer when the defense boom goes bust. As military investment winds down, those released resources can be transferred to the local levels to rebuild and restore a socially useful civilian economy and enterprise. It is a case of cuts in military spending equaling civilian investment.

### **The Military's War Against Unions**

Inside the military-industrial complex, the Pentagon, and more particularly in the IAM's case, the U.S. Air Force, has declared and is waging war on us at the bargaining table. The military has joined corporate America's concession bargaining offensive.

In the current round of aerospace contract negotiations, the Air Force ordered contractors to get concessions.

By way of background, it should be understood that the Pentagon and the military services individually are by law excluded from labor-management relations in the military contracting business. We in the IAM and the other trade unions representing military production workers do not deal with or negotiate with DOD or the Army, Navy, Air Force or Marines in military contracting. We deal exclusively with corporate management.

This isn't to say the Pentagon and military services don't "shadow" our negotiations with corporate contractors. They do. And we resist the intrusion the long and dark shadow of militarism casts over our deliberations with corporate management.

Up until recently, though, military intrusion remained a shadow—murmurings, nuances, and suggestions from the

generals to the corporate chieftains muted in the background. In principle and practice free collective bargaining was honored.

In 1982, however, the long shadow became a long arm and heavy hand in our aerospace negotiations.

It began with an Air Force memo from Lt. General Hans H. Driessnack, USAF Assistant Vice Chief of Staff, to his procurement officers. The memo was dated September 7, 1982 and approved by Defense Secretary Caspar Weinberger.

It said, in part, "... the Air Force will not accept unreasonable labor cost increases ... more emphasis must be placed on what the costs should be, not what they are or have been. Commanders should instruct their people and apprise the contractors that the Air Force will not accept unreasonable labor cost increases. Local wage rates shall be used to test reasonableness."

So there you have it from the top. Wages are to be determined by the military's own standard of what they should be, and what they should be will be determined by "local" wages—McDonald's hamburger stand wages, for instance. Collective bargaining, soaring contractor profits, not even that old ploy productivity, will determine wages.

And the Air Force pressed this wage scheme boldly with no concern or thought given to labor law or its lack of statutory authority to engage in the collective bargaining process.

At the same time Driessnack issued his edict, Acting Secretary of the Air force, Edward C. Aldridge, established a task force to "... help control the trend of rising wage compensation."

This was followed by a letter from General Robert T. Marsh to the chief Executive Officer of the Boeing corporation, and presumably the other aerospace CEOs. Said General Marsh: "We need to demonstrate to the public in clear and unmistakable ways our resolve to control weapon systems costs. One way would be to significantly curtail further increases in salaries, bonuses, and fringe benefits for the majority of ... personnel involved in aerospace defense contracts. ..."

There followed yet another letter to corporate chief executive officers, from Brigadier General Donald J. Stukel, advising them to cut health benefits to "... your workers."

Each of those memos was studded with glittering generalities, misleading facts and false statistics. The stuff could and probably did come from the Heritage Foundation or corporate

America's business roundtable. Each directive and message contained a thinly veiled threat that if the companies did not adhere to the Pentagon's labor policy, they might face loss of future contracts.

The truth about wage costs for aerospace production workers was this: (1) Among sixteen major industries ranging from automotive, through rubber, steel and tires, average hourly earnings in aerospace ranked in 16th place. (2) Total labor costs (wages plus fringe benefits like health and medical care and pensions) found aerospace workers in 15th place among the 16 major industries.

### **Greater Productivity—Higher Unemployment**

But in terms of hallowed productivity gains, the capitalists' current biblical index used to determine labor's share in the fruits of production, aerospace workers had the fifth greatest increase in productivity over the long term.

What's more, the Boeing Corporation had reported to the Pentagon two years earlier: "... blue collar, or factory direct, labor content of aerospace industry production is now running between 17 and 20 percent. ... The remainder of the cost in the systems we produce is in engineering, materials and overhead." That generally squares with findings made by Seymour Melman, Robert Reich, Bureau of Labor Statistics economists, and other analysts. Guided missile production is capital intensive, not labor intensive, and aircraft production is rapidly becoming so.

In fact, at the moment the Air Force launched its attack on wages, technology had already displaced so many production workers at most aerospace plants, that the number of laidoff IAM workers ranged in the thousands from the Burbank, California Lockheed complex to United Technologies' warola sprawl in Hartford, Connecticut, to over 11,000 idled at the Boeing complex in Seattle.

Those unemployment lines have served to support the military's heavy hand of intervention. In most companies the result of recent rounds in collective bargaining negotiations is that production worker wages have been nearly frozen, and for some job classifications and for some new hires, wages have been reduced and are below scale. It is hard to be militant inside, when strike replacements are marking time in an army of unemployed outside the plant gates.

## War Profiteering Coverup

Obviously, a major purpose of the Pentagon assault on labor is to scapegoat workers for those exorbitant weapons costs.

And that amounts to a coverup. What about the penny screws that cost the Marine Corps \$101 each; the \$1.83 fire extinguisher handles that cost the Pentagon \$25; the \$2 gas-kets for which the Pentagon paid \$14.66 each; the \$15 claw hammer that cost the Air Force \$430; the cargo ship the Navy rents for \$415 million, when it could buy it for \$178 million?

In just two years, 1980-82, more than 4,000 Pentagon orders for aircraft engine parts went up in cost by 500 percent.

Early in 1984, the General Accounting Office released a report that shows cost overruns on all military procurement items will exceed \$320 billion over the next five years! That, while wage costs will be cut or held to very low increases. And the rights of labor are trampled upon in banana-republic style.

Six years ago the Federal Renegotiation Board was abolished. Four years ago the Vinson-Trammel Profit Limitation Law on military contractors was abolished.

War profiteering has been deregulated and defense workers are systematically being enslaved. That's what's happening in the warfare state.

But there's this much about it: our little war inside the military-industrial complex might just turn out to be a war of liberation for defense workers. Now they know they have no security and small stake in the warfare state. It has turned on them just like it has turned on the peasants and workers it is supposed to be defending in El Salvador, and freeing in Nicaragua.

General Dynamics has turned on the United Auto Workers in Groton, Connecticut, just as McDonnell Douglas did in San Diego, as Boeing did against the IAM in Seattle in recent negotiations, and just as Litton Industries tried to do in a dozen unions.

## Is Planning for Peace Pie in the Sky?

Most of us can well understand the inertia and reluctance American workers have when it comes to unilaterally undertaking anything like conversion planning. In a capitalist system, workers aren't supposed to have entrepreneurial skills or management expertise.

On the local level, some workers may regard Economic Conversion as pie-in-the-sky for a rather long list of reasons.

For many, the menace of the Soviet threat or fears of that threat is real. That shouldn't be surprising. Every day of their lives they get a dose of it through the media, from their employers and from too many of their elected politicians. For some military production workers, this threat is reinforced on the job by security clearances and other security screening and classification devices. These security tests prevent workers and their trade union representatives from knowing about or even thinking about expanded roles or visions beyond their immediate jobs and departments. To go nosing about in other departments or buildings is to violate security and risk getting fired. To communicate observations and knowledge gained on the job to outside persons, further risks security violation. Even if a worker or trade union representative has no security classification or need for clearance, corporate policy and the employee handbook strongly infer the necessity for secrecy and a tight lip.

Workers also wonder how we plan for conversion and alternative production in a system that frowns on economic planning. Along with free market indoctrination, since Richard Nixon and 1968, workers have been beat over the head with the notion that the federal government can't plan anything; it only bungles and builds bureaucracy. Why conservatives and right wingers never seem to find evidence of bungling bureaucracy in the Pentagon is a never ending source of amazement to me. Can you imagine what Ronald Reagan would do if that was a welfare mother that paid a hundred dollars for a penny washer? And when defense workers look at the shape things are in, they're inclined to buy the anti-federalists' line.

Beyond these ideological constraints at the enterprise level, most workers have been conditioned to a leave-it-to-the-experts response, whenever problems of any sort crop up. This is true, whether the "experts" are found in management or among trade union representatives. With orientation and work organization like that, and a value system that relies on some sort of expert hierarchy to solve problems, it is difficult to persuade workers that they have an interest in thinking and acting like managers, or assuming what have always been managerial functions and roles. And that is what Economic Conversion asks them to do: assume and usurp management functions, if not authority.

In this connection, not many workers have developed entrepreneurial skills and expertise, and hence, have little personal zeal or aptitude for the enterprising spirit. Even those who are inventors, and many more shop floor workers are inventors than we think, have inhibitions that prevent them from lending their skills and enterprising zeal to anything so communal as economic conversion. They fear their patentable ideas will be stolen.

On the other hand, over 50 percent of the respondents to an IAM survey of inventors said they would be willing to share their ideas for inventions, new products, and new processes with their fellow workers and their local union, if they were faced with a plant shutdown and that would save the enterprise and jobs.<sup>4</sup>

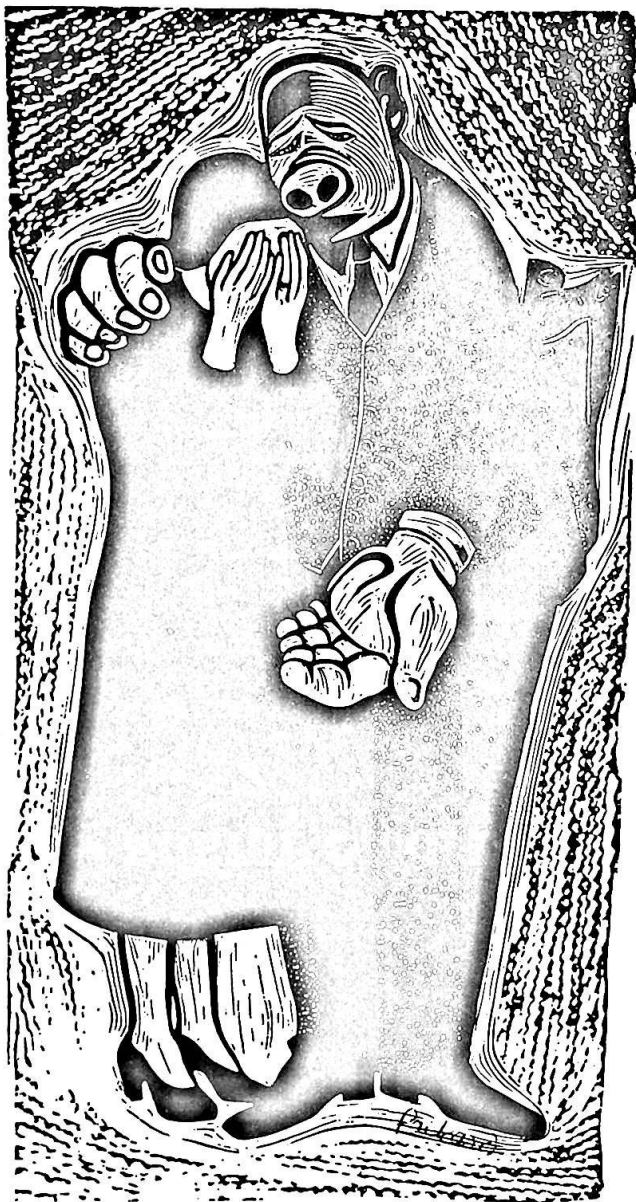
In addition to the above ideological and psychological barriers, there are a number of structural barriers that prevent Economic Conversion from being a realistic program of action at the local level.

Production, maintenance, clerical and low and middle management workers are totally isolated from and kept ignorant of upstream corporate research & development functions. Many have no concept of the R&D role in enterprise activity and therefore do not connect that to the notion of alternative production and economic conversion. Nor do they have any communicating with R&D engineers and scientists.

Corporate structure also prevents any linkage or communication between professional engineering staff and workers at the shop floor level, except in a hierarchical system of command, relay and carrying-out orders. Quality of Working Life programs (QWLs) and Quality Control Circles (QCCs) are touted as a way to break down this line organizational rigidity, but these participatory management schemes too often have been used to serve a corporate hidden agenda, such as circumventing the union, disguising the introduction of job-displacing technology, or to increase productivity without sharing the gains with the workers. Even so, most corporate engineering staff are housed away from the production floor and have little contact or intercourse with shop floor workers.

The structure of collective bargaining also frustrates workers who try to grapple with Economic Conversion at the local level. National labor law defines certain management rights and prerogatives. The very idea of Economic Conversion strikes at the heart of those management prerogatives. Hence,

♦♦ THERE, THERE, DEAR ♦♦



"Someone has to suffer, madam. In the event of war, you lose sons. In the event of peace, I lose money."

♦♦ Credit: Emmy Lou Packard.



no bargaining strategy has been developed to circumvent or penetrate this legal or quasi-legal barrier.

In addition, too many collective bargaining agreements actually concede management's right to manage with such sweeping language that there is no possibility of making Economic Conversion, even as a joint contingency planning objective, a viable bargaining issue. Management's right to manage is so total, it includes the unchallengeable right to grossly mismanage. In the purely private sector, management errors can be "corrected" by penalty of profit loss and, more and more frequently, by exacting concessions from workers.

In defense production, mismanagement may never be corrected, but can always be covered up or papered over by exacting more and more money from taxpayers through the defense budget.

### **Making a Catalog of Feasible Alternative Products**

What this adds up to is that there are no methods or means for workers, by themselves, to produce a catalog of feasible alternative products utilizing essentially the same skills, equipment and plant that is employed in military production. Such a catalog would go a long way toward dispelling the notion that Economic Conversion is pie-in-the-sky. If even that was available, then workers could look at it and say, "By-God, we can make something else."

This, of course, leads to the marketing and sales problems. Who's going to buy that "something else" and *will* they buy it? But answers to those questions are more easily solved by obtaining outside expertise and talent than are the design, engineering and production problems of producing viable alternative socially useful products.

Then there is the obvious problem of who is going to pay for conversion. Most workers don't really have the kind of financial expertise that it would take to get an Economic Conversion Project off the ground, absent corporate cooperation and federal or public funding.

A few thinkers have suggested that the current wave of revolutionary new technology can be harnessed and utilized to galvanize Economic Conversion efforts. No doubt that is true in an abstract sense. But all the above ideological, psychological and structural barriers get in the way here, too. Workers simply don't have any control over the creation or implemen-



tation of new technology. Many military production workers are imbued with the notion that in technological warfare, technological superiority is the mainline defense against the Soviet threat. There is also an oft unchallenged belief that advanced technology means progress, and we can't fight progress.

However, few people would probably argue today that nuclear power plants represent progress in any sense of the word. Nuclear power generation remains an expensive, inefficient, dangerous and dumb way to boil water. Blowing up the world is a dumb way to solve international disputes, too.

Finally, we must list workers' view of Economic Conversion with respect to the community at-large, outside the workplace. Not enough bridges have been built, not enough coalitions have been made by local workers and their trade unions with community action and public interest groups. Aside from the security problems already mentioned, inertia and the business theory of trade unionism are major problems.

On the other hand, trade unions and workers often believe that community and conversion activists fail to appreciate or recognize their moral dilemma, namely, how do we support all the noble causes of peace and disarmament, particularly when it comes to getting rid of specific weapons and military products, and still keep bread on our table?

At that point, most military production workers will make the link between their individual economic security and Economic Conversion and will accept it as a viable concept and even as necessary. But they will inevitably ask: What about the boss, the coupon clippers and the big money investors? How do you stop them from investing in defense contracting firms and war profits?

"Change their ways and we'll change ours," they say. "If the stuff is going to be made, somebody has to make it. And it might as well be us. We're already in it. Like it or not. It's a living."

In times like these, a 10-million member army of unemployed marking time in a long line outside the defense plant or project site serves to reinforce that rationale and job insecurity.

That takes us right back to the top of the barriers to Economic Conversion, as seen by military production workers.

But we must free the hostages.

The economic nexus must be broken before we can expect

workers and trade unions to enlist in mounting numbers to reverse the arms race.

That means we must have planned Economic Conversion legislation before the current military spending bubble bursts, not in the chaos of debris in the downhill slide.

### **The AFL-CIO Position on Defense**

There are some common misperceptions about the total position of the institution of labor in this country. Labor—the AFL-CIO as the labor center—is often characterized as being pro-defense spending. I find that to be untrue, beyond the point that is always made. Labor believes, categorically, that we need an adequate national defense. It does not believe we ought to expose our country to the risk of being taken over by some foreign power—not by the identified current enemies or by any potential ones in the future. That position gets stretched hither and yon by some of the observers who sometimes put words in the mouths of the institutions that are not always accurate.

There is a thorough inquiry now in progress by a committee of the AFL-CIO executive council on which I serve. We are looking at the total defense budget in a meticulous fashion never before done by the federation because we no longer think that we are getting reliable stories from the responsible officials in the country. We no longer can depend on what we are getting from the executive branch of government and continue just blindly saying that we want to defend the country and promote national defense.

I can predict that the posture of the federation at the top will moderate substantially over the course of the next year and beyond, in terms of withdrawing support from the kind of outlandish weapons build-up that threatens the very foundations of the world.

This is a rather remarkable turnabout. Five years ago, when I assumed the presidency of the IAM, we were ensnared in the same loose characterization that branded all labor as pro-defense. That was accentuated by the fact that we have so many members who work in the defense industries. However, visits to union halls around the country and extensive personal meetings with union members have resulted in quite remarkable revelations.

Transformation in attitudes comes by working at it, by dis-

seminating information, by developing needed pieces of information that are cogent and understandable. We will continue to do that. To the extent that this AFL-CIO committee reports to the total Congress in the same meaningful fashion, we will get better and better dissemination of information that the American people can understand. Union members, after all, are just like the entire public. I am satisfied that, if union members, by getting the facts, will react to this issue, then the broad base of the American public will react in much the same manner.

Obviously, as long as members of my organization are hooked on building F-15s, F-16s, F-18s, and so on, and do not know where they are going to go from there, they have created a rather dead-end specter in their minds. When I meet with them, it is not unusual for the first remark to be: "You're against what we build. Therefore, you are against our jobs."

I reply: "It is not that simple, so let us devote the meeting to developing some common understanding. As long as our government elects to pursue the purchase of this kind of hardware and you make it, your job is secure, but it is only limited security, and you are not doing anything in terms of fortifying yourselves for the future."

I say to take the most way-out case: "What would you feel if, tomorrow morning, the heads of state in the world convened at some central point and engaged in a discussion about the balance of terror that exists and the potential for obliterating the planet, and, as a result, a declaration of peace was signed by the nations of the world? Where would your job be then?"

I then tell them that I think it is the job of the union, if it really has their long-range welfare as a source of concern, to be developing those plans and getting them in place for that potential eventuality or anything reasonably approaching it. In that context we can then try to put as much collective pressure on our national leaders as possible from our organization to terminate this nuclear madness and have a mechanism in place by which workers are assured a productive future in the interest of promoting the society, rather than blowing it up. We talk about conversion. We plan for it. Legislative proposals have been supported by our union to deal with that, and we will continue to do so because we think that is where the long-range welfare of the worker lies.

## STAR WARS vs. ECONOMIC CONVERSION

After we nailed down the concept of Economic Conversion in our own organization, which means it has gone through the politics and through a convention, and been acted upon favorably, etc., we started talking to others in the U.S. labor movement, to a great many people from abroad. We found that a lot of other countries are way ahead of us, principally the Soviet Union. Close to two years ago, an international conference in Washington attracted a lot of attention from people all over the world. The AFL-CIO sent a representative, a very bright young man. He was sufficiently captured by what he heard that when he got back, he went to work in the Industrial Union Department to plan an effort on their part. They sponsored another convention last spring which was well attended. It's a question of time and effort. I think you'll see good things coming over time.

[At the same time,] one of the nagging pains ... is this crazy adventure that they call Star Wars. It's Buck Rogers in reverse. There isn't a scientist that I've found anywhere that says it will work. Anybody in their right mind would shelve that madness and get on with running the people's business, scale back the horrendous defense budget and start doing a few conversion projects that put some Americans to work.

I'm not only talking about foreign competition. I'm talking about some of the biggest thieves, with their white collar crime. It shouldn't go unpunished. Look at what GE steals, Lockheed, all the rest of them.

## Workers Have the Right to Peace

I have talked to workers represented by our union in most of the major defense establishments, and I have toured most of the facilities and talked to the people at their machines. I have found very few workers who did not understand the premise that no job, at whatever wage rate, is worth having if you stand in daily danger of being incinerated while you are doing it. That collective concern accounts for the rather dramatic

growth of participation in this entire Economic Conversion and disarmament discussion by working people across the country [and] the renewed interest by the AFL-CIO and its ongoing search, [through the committee I mentioned], for a rational position that can be taken by organized labor on this whole question.

I believe that our members understand that one of the bottom-line conditions that must be present for us to have an acceptable society is that workers must have the right to peace and the fruits of peace. That understanding is increasing, geometrically, in terms of the number of people getting the message. We see increased participation right across the board, certainly by our union, in the growing effort to avert a nuclear holocaust and to challenge any connection between the thought processes that say that because we have jobs in the industry we therefore must perpetuate it. Economic Conversion is the path down which we will be traveling to deescalate the danger of eliminating human life from this planet.

#### NOTES

1. Council on Economic Priorities, "Employment Per \$1 Billion Spent," *Economic Consequences of a Nuclear Freeze* (Council on Economic Priorities: New York, 1983), p. 28.
2. International Association of Machinists and Aerospace Workers, *Let's Rebuild America* (Kelly Press: Washington, D.C., 1984), pp. 87-88.
3. De Grasse, Robert, Jr., with Paul Murphy and William Ragan, *The Costs and Consequences of Reagan's Military Buildup* (Council on Economic Priorities: New York, 1982), pp. 13-17.
4. Based on the results of an IAM Survey in May 1984.

## 8 ♦♦ TESTIFYING FOR COMPARABLE WORTH

♦♦ Mary Hatwood-Futrell ♦♦

*Testimony of Mary Hatwood-Futrell, currently president of National Education Association, before the U.S. House of Representatives Subcommittee on Civil Service, Human Resources, and Compensation and Employee Benefits of the Committee on Post Office and Civil Service, 97th Congress, 2d session (Sept. 21, 1982), in Joint Hearings on Pay Equity: Equal Pay for Work of Comparable Value.*

*Published verbatim, except that the section on Teaching: A Personal Perspective was moved forward, and references to the ERA and material in the appendix were deleted.*

Madam Chair:

My name is Mary Hatwood-Futrell, and I am secretary-treasurer of the 1.7 million member National Education Association (NEA), an organization representing teachers, faculty and education support personnel in schools and institutions of higher learning in all fifty states. I welcome the opportunity to come before this distinguished group of legislators to speak on such a vital topic as pay equity. I welcome such an opportunity not only as a representative of a membership—and a profession—that is nearly 70 percent female, but also as a teacher who well understands the undervaluing and the resultant underpayment of teachers' work in this society.

I am also pleased to be here as representative of the thousands of education support personnel that the NEA represents for whom the issue of wage comparability is increasingly being sought as a means to build equity into their jobs.

I come before you as a representative of one of the largest organizations representing professionals in this country. Yet I come to you knowing that the average salary earned by those professionals—60 percent of whom have master's degrees or above—is far below that earned by other professionals whose education and training is commensurate with—or less than—that required [of] teachers. I also come before you as a citizen keenly aware of the essential role played by teachers and education in the progress and growth of our society.

### **Teaching: A Personal Perspective**

I would like to take a moment to talk about my personal experiences in teaching before I came to my present position as NEA secretary-treasurer. I began in the Alexandria, Virginia school system as a business education teacher in 1963. I taught four subject courses to students in the ninth through twelfth grades and was paid \$5,000 per school year.

In addition to teaching my business classes, I was the sponsor of the Future Business Leaders of America, a club that met after school hours. I was also responsible for running the school store that operated every day. I was required to oversee "homeroom" students; have hall duty, cafeteria duty, and was expected to be a security officer if there were disturbances among the students. Occasionally, I had to chaperone school dances or plays, and I was also required to accompany and chaperone field trips.

Since I was a teacher of business education, it was not unusual for my services to be called upon by the school's front office to help with various clerical activities. My students were called upon occasionally to complete administrative work sent from the front office. I had to supervise this work also.

I also coached cheerleaders in my school for several years, although I got no extra stipend for this duty, even though male teachers who coached athletic teams did. Coaching, in fact, was one of the few ways that teachers could increase their teaching income. However, until recent applications to coaching of federal and state equal opportunity statutes, such as the Equal Pay Act of 1963, Title VII of the 1964 Civil Rights Act, and Title IX of the Education Amendments of 1972 and analogous state laws, women were routinely paid far less than their male colleagues. Even now wage discrepancies in coaching still exist.

I have a master's degree in education, and have taken

numerous advanced courses beyond this degree. I have been recertified in my field three times.

When I left my teaching position in 1980 to assume my NEA responsibilities, my salary was \$25,000, which included an extra payment for duties accompanying my role as department head. A salary of \$25,000 may sound like a lot of money, but you must remember I had nearly 20 years of teaching experience, had a master's degree plus, and that I live in a large metropolitan area. The average salary for secondary school teachers for all of Virginia in school year 1980-81 was \$16,285; for secondary and elementary combined, the average salary in the state was a paltry \$15,353.

My experience teaching in the public schools, I think, should help to shed some light on why I, as well as the members of the NEA, feel that the pay equity question must begin to be addressed for educators who are responsible for nurturing and developing our nation's most precious commodity—its youth.

There is currently a great debate taking place in the United States about the need to assess educational standards, redirect the course of education, or rethink the national education priorities. Some critics charge the need to "return to basics," some to put a stronger focus on training for technology, others to put less emphasis on higher education and more on preparing students for vocational and craft jobs.

Even with this divergence of opinion few would argue about the central role teachers play in that process, and few would deny that well qualified teachers are the strongest assets of any school system, no matter how good its other resources may be. A recent Gallup poll taken in May [1982] confirms these sentiments.

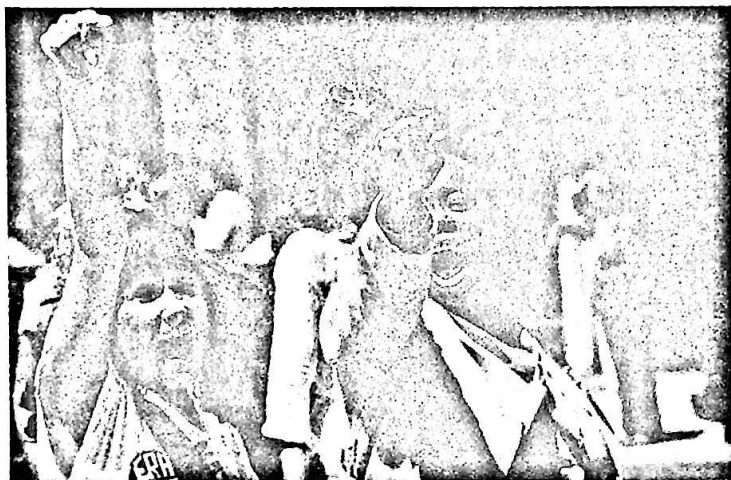
In this poll the public ranked education as its number one priority in the distribution of federal funding—an ironic finding, given the policies being perpetuated by this administration to cut federal education programs dramatically. Americans also reaffirmed the view that the quality of teachers is one of the top assets of public schools, and many recommended teacher layoffs or pay cuts only as a last resort in the face of a budget crunch. In addition, more than half of the respondents in the Gallup poll considered poor pay the leading cause of teacher "burnout". This comes as no surprise to us, since recent NEA findings revealed that those leaving teaching for private sector employment report that they are making roughly 25 percent *more* than they did while they taught.



♦♦GETTING THE WORD OUT♦♦

**"What a man needs is to come home and get a couple of martinis from a woman who is reasonably well-rested."**

Sen. Jeremiah Denton 'R-Alabama'  
1982



**Pay Equity. Another step toward justice.**

An SEIU union recently produced a series of postcards to publicize critical issues affecting its membership.

♦♦ Credit: District 925, Service Employees International Union, AFL-CIO, CLC.

## Teaching: The Women's Profession

For many decades in this country, teaching was one of the few professions open to women and minorities. In addition to being one of only several professions, including nursing, that was open to women, teaching gave women the certification that would guarantee their status as professionals. Over the years, even though the pay was low—as recently as 1962-63, teachers averaged only \$5,700—highly qualified women and minorities routinely entered the teaching profession. In the sixties and seventies, however, as their options grew, the number of women going into teaching has been reduced by one-third.

The NEA feels that attracting the best qualified people—women and men—is an essential ingredient to quality education in the United States. One way that we can insure that we get the qualified people into teaching is to begin to look at teaching jobs in terms of their true value to society and to begin to pay teachers accordingly. Until this nation applies a standard of equity in the establishment of wages for teachers, seeking “quality” in education may soon become a most elusive dream rather than a daily classroom reality.

## The Persistent Wage Gap

Wage comparability has always been one of the foundations for labor relations. As far back as World War II, the War Labor Board heard numerous cases of discrepancies in wages for jobs that were sex-segregated leading to less pay for women. Several decades ago, the International Labor Organization passed a resolution calling for “equal pay for work of comparable value”—pay equity. Only in recent years, however, has there been a recognized movement for pay equity in the workplace. Specifically, pay equity advocates in the government, labor unions and employee associations and civil rights and women's organizations became vocal and greater in number when it became clear that national policies promoting affirmative action were only scratching the surface of the wage inequity problem for women and minorities.

I mention this not to take exception with affirmative action. Indeed, it is a concept and practice which the NEA strongly endorses and will work forcefully to ensure as a national priority in the coming decades. However, I stress that affirmative action alone is not enough. The gap between men's and wom-

en's average wages in this country is larger now than it was some two decades ago.

And, while there are growing numbers of women and minorities in jobs and professions that were once sealed off to them, there are still millions of people in jobs that offer little in terms of financial growth. Economic indicators for the future also show that the greatest growth of jobs in the U.S. will come not in the traditionally high-paying manufacturing sector, but in lower-paying service jobs. This is a trend that will continue well into the next century.

As a collective bargaining agent and representative of public employees throughout the nation, the NEA and its state affiliates have been concerned with the establishment and maintenance of fairness and equity in wages for many years. We believe that pursuing pay equity for our members is totally fitting with this role. And it is why the NEA reaffirmed and strengthened its commitment to close the wage gap between men and women through the adoption of a resolution on pay equity approved by the 7,500-delegate Representative Assembly which met earlier this year.

### **Teachers: Documenting the Wage Gap**

Teaching: a profession. Not many people think of it as a low-paying, deadend job. Yet, starting teachers for the Los Angeles United School District, the nation's second largest school district, made \$13,500 during the last school year. On that income, a teacher trying to maintain a family of four would have been eligible for food stamps. Startlingly enough, there are many other school systems in the country which start their teachers off at even lower salaries—enough of them to make the average beginning salary for a new teacher with a bachelor's degree last year \$12,800.

Public school teachers throughout the country averaged \$18,976 last year. Elementary school teachers, of whom 98 percent are female, averaged \$18,543, while their counterparts in secondary schools, who are more than half male, averaged nearly \$1,000 more, making \$19,494 last year.

The NEA feels that it is no coincidence that these low salaries, especially given the education and training, and responsibilities required in teaching, correspond to a profession that is more than two-thirds female. Neither is it a coincidence that women comprise only 14 percent of school principals.

## The Wage Gap: A Comparison

Comparing starting salaries for professions requiring the same educational preparation as teaching, but which are predominantly male, is revealing (NEA Research and Data Bank for 1981-82):

♦ Teacher	\$12,800
♦ Engineer	\$22,368
♦ Accountant	\$16,200
♦ Computer scientist	\$20,364
♦ Business administrator	\$16,200
♦ Chemist	\$19,536

Even with master's degrees, starting salaries for teachers are far below those of their professional colleagues who are in predominantly male job classifications (1981-82) (NEA Research and Data Bank):

♦ Teacher	\$14,079
♦ Engineer	\$25,128
♦ Others with technical degrees	\$23,850
♦ Accountant	\$18,420

The chart [see next page] dramatically shows the consistency in the wage gap between teachers and other professionals. It represents the highest and lowest starting salaries offered graduates with bachelor's degrees in private industry compared with public school teachers with bachelor's degrees. Professions are taken from those listed in the columns above.

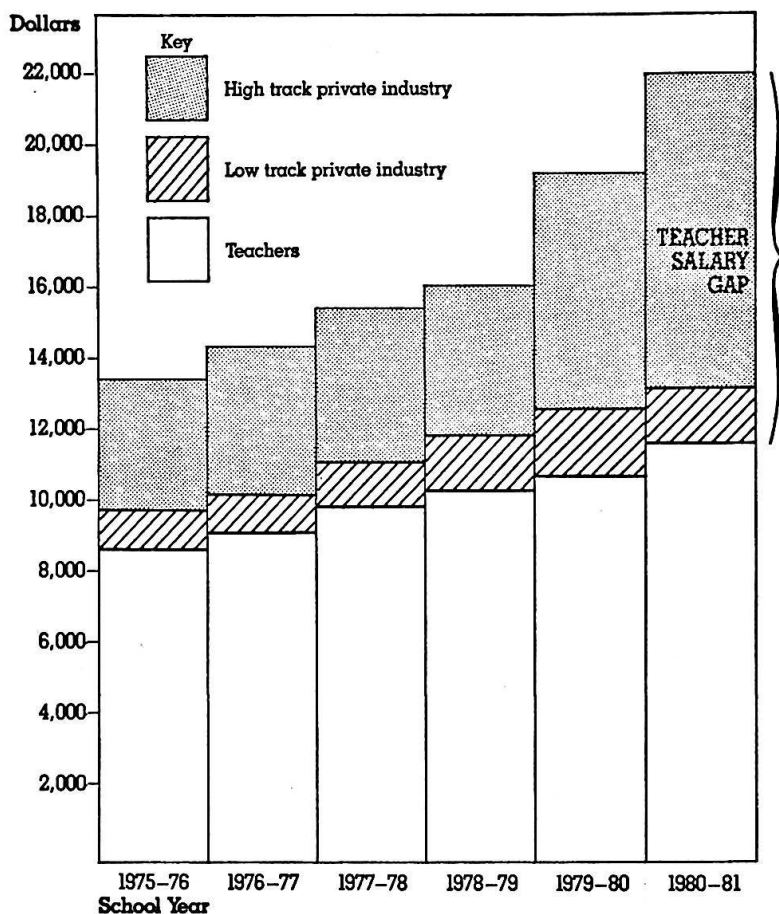
Even when we compare teachers' salaries with wages earned by workers in jobs requiring less education and fewer responsibilities, teachers come out on the low end of the scale:

♦ Teacher	\$18,976
♦ Electric & gas utility worker	\$22,724
♦ Tire factory worker	\$25,582
♦ Construction worker	\$21,500

## Society's Message

It is an accepted standard in this society that the value of a job is shown by the salary it is paid. The statistics I've outlined above obviously are a telling story of our nation's priorities. Teachers, who take children from all walks of life, from all

♦ ♦ ♦ AVERAGE STARTING SALARIES PAID TO GRADUATES WITH A BACHELOR'S DEGREE ♦ ♦



SOURCES: Private industry salaries from annual reports of Frank S. Endicott, Director of Placement Emeritus, Northwestern University. Salaries are based on offers made to graduates by approximately 200 companies located throughout the United States. Teacher salaries computed by NEA Research.

social, cultural and economic backgrounds, and help to mold them into productive citizens, averaged roughly \$19,000 in a year when the U.S. government's own figures state that at least \$22,000 is needed for a family of four to maintain a 'moderate standard of living.' Staff nurses in hospitals who care for the sick and dying averaged less than \$17,000 this year. Even adding in nursing administrative and supervisory salaries, nurses averaged only \$19,000.

The message is clear. Those people who are in life-saving, life-molding jobs, such as nursing and teaching, are told repeatedly in their paychecks that their work is of small importance to this society. Instead, we're reinforcing the idea that people who work with things—mechanics, plumbers, electricians, welders—are more important than people who work with and for people. And that's a sad legacy for us to pass on to our future generations.

The NEA believes that looking at jobs in terms of their requirements, skills, and true value to the employer—essentially what pay equity is all about—is one way to begin to revise current views about the value of *work*, without regard to the gender or race or physical ability of the person doing it.

We believe that people should have the option to choose the jobs they would like to do based on their desire to work in a particular field, without feeling that they have to make a financial sacrifice to do so. After all, pay inequities not only affect women who work, they affect the men who work—or would like to work—in fields in which women predominate, such as teaching or nursing.

For example, a recent NEA survey showed that seventy percent of those who selected teaching as a career did so because of their desire to work with young people. Forty-four percent said they entered education because of its value or significance to society, while only twenty percent cited 'job security' as the reason they sought to teach.

We feel strongly that teachers should be able to choose their career because of their desire to work with the young, or their interest in doing some good for society. They should not be forced to join the exodus into other fields because their salaries keep telling them they're not worth much in the eyes of this society.

## **Educational Support: Places Vary—Problems the Same**

Across the country, people working in education support positions, in both public school districts and universities, are facing similar problems to those encountered by those in many job classifications. Unfortunately, most of them have no union to turn to for help in resolving these pay inequities.

A review of statistics compiled by the Educational Research Service, Inc. in its "Wages and Salaries Paid Support Personnel in Public Schools, 1981-82" produces similar conclusions to those uncovered by the NEA studies on teachers. Within schools across the country, the secretary/stenographer job classification—which is predominantly female—was paid an average of \$10,301 in the last school year. Library clerks in the schools, who are also predominantly female, averaged \$8,272 last year.

For hourly employees, the ERS statistics showed that instructional teacher aides, who are mostly female, earned \$4.88/hour last year. Another female job class, cafeteria workers, earned \$4.57/hour in school year 1981-82. Meanwhile, the predominantly male job classes averaged more, with building custodians (not engineers) making \$5.95/hour, and school bus drivers averaging \$6.26/hour.

## **Breaking the "Free Market" Myth**

There are many in this society fighting against any changes in how wages are determined. They rationalize the current structure by saying that it is the "free market" which sets those wages—that is, the law of supply and demand will even things out in the end. If this is indeed the case, then one of life's great ironies is now being played out with regard to the worst shortage of nurses in this nation's history. Why, we're even importing them from abroad. Yet, the average salary for a registered nurse this year is still less than \$20,000. And we must remember that nurses in Denver were recently found to be making less money than tree trimmers hired by the city.

Anyone who looks at newspaper classified ads knows that clerical jobs are often advertised by the hundreds, especially in the nation's larger cities. Yet, the average clerical worker earned \$14,146 last year. (Female clericals made \$11,284, while their male counterparts pushed the average up, earning

\$17,108 last year.) Is it really going to be the "free market" law of supply and demand which adjusts these salaries to make up for long years of ghettoization and discrimination? The NEA thinks not.

I would like to add in an aside that it did not take the business community in this country very long to become aware of or to react to the move toward pay equity. The Business Round Table, made up of executives from the nation's largest corporate entities, began to fund—to the tune of more than one-half million dollars—an organization with the misnomer, The Equal Employment Advisory Council (EEAC), whose sole task it has been to come up with a means to stop pay equity. Within this circle, pay equity has become an evil more dangerous than affirmative action. In fact, conferees gathered for one of the most recent meetings sponsored by the EEAC—top personnel, EEO and legal specialists for the nation's largest corporations—reached an interesting conclusion. They declared that women's wages were indeed depressed to a certain degree because of sex discrimination. And they called on companies to implement affirmative action programs as a means to overcome that discrimination through upward mobility for women.

This was to substitute for the reevaluation of women's work being called for by pay equity advocates. It is interesting to note that it has been corporate interests which fought the passage and implementation of affirmative action laws with a vengeance. Now, however, they're claiming to support it as a means of combatting wage discrimination. The NEA finds this particularly ironic in light of the policy of the Reagan administration to curtail implementation, enforcement and monitoring of most equal employment opportunity practices in this country. Could the timing of this call for affirmative action on the part of business advocates be entirely coincidental? We think not.

It will be interesting indeed to see just how pay inequity problems will be resolved in this country. On one hand, business is working against pay equity, while the government is currently rejecting affirmative action. It must be remembered that neither pay equity, nor affirmative action, appeared out of the thin air. Both are responses to social problems such as sex and race discrimination. As far as the NEA is concerned, these problems have not disappeared with the advent of the Reagan administration and its "return to the good old days" philosophy. This nation's citizens must have a place to turn in the face



of injustice. And the role of the federal government in fighting societal injustice must not be lost—no matter what name or philosophy a particular administration carries.

### **NEA Pay Equity Initiatives**

In recent years, the NEA and its affiliates have been involved in several pay equity initiatives involving both teaching and educational support staff. The most notable of these has been a push by the United Teachers of Los Angeles (UTLA), to look at wage inequities within this huge school district. Another is taking place at the opposite end of the country at the University of Maine at Orono, where NEA members who are in educational support positions have been identifying wage discrimination within the university and attempting to develop responses to it...

### **Conclusion**

In conclusion, I would like to thank you for having taken the time to give this important topic a forum for national attention. You have used your authority as legislators in a very meaningful way. It is not until the public is informed about an issue as vital as this one that we as a society can begin to remedy the dread problems of sex and race discrimination and their resultant wage discrimination.

Hopefully, we are publicizing through these discussions that there is a move afoot to recognize this problem and to offer solutions to it—in a manner that will not disrupt the entire U.S. economy. Pay equity represents a means to bring greater fairness into our wage system, and consequently into our entire economic system.

I also hope that a forum such as these hearings will spread the word that the laws already on the books, in this case, the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964, are successfully being utilized to deal with pay equity issues. We don't need any additional legislation at the moment. Rather, we need to encourage our members and the public at large to use what we already have, and to make the system work for us.

Once again, on behalf of the NEA's nearly 2 million workers, I thank you for this opportunity to present our views.



## 9 ♦♦ REPRESENTING EVERYDAY PEOPLE

♦♦ Charles Hayes ♦♦

*Charles Hayes is a former leader of the United Food and Commercial Workers, AFL-CIO. He is currently a member of the House of Representatives (D-Ill).*

*Excerpted from speech by Congressman Hayes to a group of labor union leaders in Chicago, January 6, 1985. (Reprinted from the February 1985 edition of Labor Today, with permission.)*

### **That's the Way I Am**

When I first got to Congress I was almost overwhelmed—all they talked about when it came to money was millions and billions. So I said to one of my colleagues, “Good God! I can’t even imagine what a billion dollars is. Don’t they ever think of any other denomination?”

I represent people who are trying to survive on food stamps—and they are talking about more cuts there. When you talk about balancing the budget, many of my constituents don’t even know what you’re talking about. They don’t have a budget—they don’t have anything.

I expect to be the kind of voice in this [Congress] that little people need. That poor people need—Black, white, brown, whatever color they are—and wherever they are.

My roots are in the trade union movement. I don’t deny it and I’ll go even further—I’ll never lose them. But you know, I don’t think I get the support I ought to get from labor. If I was

white, I'd have a war chest so big that I couldn't even move it around. I've got sense enough to know that.

## Unemployment and Jobs

There's got to be some foundation laid for a fighting coalition between the trade union movement and Blacks and minorities—Jesse Jackson included. There has got to be at least some common objective that we can seek together—and I think jobs is that objective.

Let me use the auto industry as an example because most people know a little bit about it: It's being said—and I think they are right—that as many as a quarter of a million auto workers have permanently lost their jobs. And, I'm told, within the next year and a half that number is going to increase.

I've got a question: Where are these people going—and what are they going to do? There are no jobs, and if the government doesn't provide a way for people to make a living, what are they going to do? So we have to make our coalition work.

That's the reason why Congressman John Conyers and I are going to reintroduce the Income and Jobs Action Act, although it may have a new title. And, let me remind you, we need all the co-sponsors we can get.

We've got to begin to change the focus of people's attention on unemployment. That's the number one issue before the country today—jobs and *unemployment*.

## Peace, Where It All Begins

Everything that working people and poor people can hope to accomplish in ... Congress is predicated on the proposition that we can stop the outbreak of war—that we can stop those who think they can use their nuclear might to conquer and control the whole world.

I don't think the people of Nicaragua or El Salvador are as concerned about political systems as they are about trying to find a way to live as human beings—to educate their kids, to live in a decent house, to wear clothes like everybody else, and to not have whatever aid our government sends down there go into the hands of people whom our government can control.

Grenada is a living example. Here's an island where the only thing they have is a little nutmeg and a few coconuts, where the biggest industry—and the big money—is tourism. They

needed an airport and the Cubans were trying to help them build it. We chased the Cubans out because we had to “save” those students at that medical school. So we helped complete the airport and we ended up building a highway as well, so that tourists would come to Grenada.

But you know something? I would be willing to bet that, while we take credit for building the airport, most of the income that results from tourism will not be controlled by Grenadians but by Americans—and I’m not talking about Black people or workers.

### **Big Battle Ahead**

So in summary, we face the same problems—peace, jobs, and equality. If we can keep the movement going—if we can keep their feet to the fire—Congress can make a contribution to solving all of them.

*Editors’ note: Congressman Hayes discusses full employment in sections 16 and 97.*

♦ ♦ UNEMPLOYMENT vs. INFLATION ♦ ♦



"By being unemployed, we are saving ourselves from a ruinous inflation."

♦ ♦ Credit: Fred Wright/LNS.

## 10 ♦♦ ANTI-UNION PUSH ON ALL FRONTS

♦♦Philip Lelli♦♦

*Philip Lelli is president of International Longshoremen's and Warehousemen's Union (ILWU) Local 23 in Tacoma, Washington.*

*He read the following letter to the West Coast Longshore Caucus on April 22, 1985.*

We are assembled here in caucus, 47 years since the first convention of the ILWU in Aberdeen, Washington in 1938, after leaving the ILA [International Longshoremen's Association] and becoming an affiliate of the CIO.

About ten years later, in 1948, the ILWU and ten other unions affiliated with the CIO were expelled from that body, charged with being Red-dominated.

We are one of the five major unions in the transportation industry—longshore, seafaring, Teamsters, railroads, and airlines.

First the seafaring unions: What has happened to them? Runaway flags, mechanization, technology, have reduced them to mere shadows of their previous membership and strength. In 1938 a five-hatch freighter—Hog Island Class, approximately 6,000 tons—carried a minimum crew of 35-38 persons. Today the new APL container ships are comparable; they pack 1,100 40-ft. containers and are over 30,000 tons, [travel at] twice the average speed of the old 10-knot tubs. Two major lines remain on the West Coast under contract to the SUP [Seamen's Union of the Pacific]: Matson and APL, a far cry

from the large number of 30 years ago. These companies have been reporting enormous earnings in recent periods.

Second, let us look at the Teamsters. In 1938 the first Area Type contract was negotiated for 11 Midwestern states, which in the first agreement covered some 125,000 drivers and led to the eventual National Master Freight Agreement of 1964. It covered some 400,000 workers, which was used as the standard for many Teamsters and other unions.

Started by the Carter Administration and utilized by the Reagan Administration, deregulation has cut the motor freight industry nearly in half. Their current negotiations are reported to cover 200,000 workers with an indicated two-tier wage scale and concessions. Their standards of work are being bargained away. The industry is inundated with owner-operators, and we are now seeing neutral gates appearing on many piers.

Third, the railroads: They have also been the subject of deregulation. Earlier, tremendous campaigns, national in scope on train-crew size, fights against their "work-rules," so-called "bankruptcy" of many lines, consolidation of power in the hands of fewer companies with the help of the "stagger act" creating a monopoly-like situation. Now the rage is "double-stack" trains with two loads for the price of one train crew, and last but not least "intermodal yards," in which modular, box-car-like containers are transferred directly from ship to train with near-automation. This will no doubt eliminate jobs for rail workers, teamsters, and, yes, in some instances longshoremen.

Fourth, the airlines: Here we have the most dramatic example of deregulation. It has spawned a mess of nonunion carriers ... forced many airlines into bankruptcy, and promotes disregard for safety. But most important was the complete destruction of PATCO [Professional Air Traffic Controllers Organization]. Many of the companies are on strike or demanding tremendous concessions to forestall going bankrupt.

Now we come full cycle back to the longshore industry. We are entering the second year of a three-year contract. Perhaps we are too cocky or too smug or believe that our record of the last 47 years has put us "off-limits" to what is happening to the rest of the labor movement. The ILA recently negotiated a minimum standards agreement for all ports, Atlantic, Seaboard, and the Gulf. Immediately 36 ports went to court and obtained injunctions to prevent the enforcement of the container gang size of 18 persons plus two drivers plus additional



drivers from the hall when needed.

Although arbitrators have held in the union's favor, the rulings are being appealed. The 50-mile rule has been in constant litigation for several years. Despite agreement by the stevedore companies and most shipping lines, the nonvessel operators challenge every decision and rule.

Then there are companies renouncing the ILA agreement and going nonunion.

Crowley still operates a non-ILA operation, Trailer Marine Transport from Philly and Florida ports to the West Indies. In addition, recently four ports have announced that they will set up nonunion stevedore operations.

In Houston, Texas, some entrepreneur has leased or bought part of the now-defunct Todd Shipyard and has a flourishing scab stevedore operation. There are reports that several grain elevators have shut down on the Gulf and are reopening as nonunion. There may be some here assembled who think this can not happen to us . . . not so. In the Puget Sound there are elevators that have shut down, or have announced they too will also shut down, and there is talk to the effect that they will reopen nonunion.

Last, we are faced in the Puget Sound Area with nonunion barge operations, not one, not two, but several barge lines, maybe as many as 29, and they are cutting into the union-operated carriers' volume of both barge and steamship carriers. Several piers in the Puget Sound now have nonunion gates, which were put in to avoid union trucking companies.

I have not referred to shipyards, but soon great losses of work will occur because of changes in the laws whereby subsidized American ship operators can have new shipbuilding done in foreign yards to save money for subsidized ship operators.

Something has to be done, and this Caucus has to make that decision.

# 11 ♦♦ THE NEED FOR LABOR UNITY

♦♦ Dick Barry ♦♦

*Dick Barry is president of the United Electrical, Radio and Machine Workers Union of Canada. He delivered the following address to the 2nd International Conference on Trade Union Unity Against the Transnational Corporations, in Toronto, Canada, October 29-30, 1983.*

*Reprinted from Labor Confronts the Transnationals, prepared by Labor Research Association, N.Y.C., with permission from International Publishers, New York, © 1984. Additional material came from an interview with Dick Barry conducted by Labor Today, published in January 1985.*

Because of the enormous crisis that is facing workers throughout the capitalist world, we have more work to do, and fewer resources with which to do it.

It is very difficult to avoid becoming consumed by our daily concerns and our local struggles. Nevertheless, if we force ourselves to step back a moment from those struggles, we will quickly see that there is nothing "local" about them. Most are struggles directly or indirectly against transnational corporations, or states operating in the interests of those corporations.

This international character must be recognized and addressed if we are to be successful. But our dilemma has always been, particularly in North America, that the labor movement has had a badly fragmented structure and has been dominated by ideologies that ignore or downplay the fact that our fundamental difficulties arise out of the nature of capital-

ism; and that any real solution requires the replacement of capitalism with socialism.

In Canada, three-and-a-half-million workers are organized into over 800 unions. Seventy-four (representing 41 percent of all organized workers) are "international unions," 146 (representing 55 percent of organized workers) are "national unions," 366 are directly chartered locals of various central labor bodies, and the remainder are unaffiliated local labor bodies. There are five self-proclaimed central labor bodies, of which the largest is the Canadian Labour Congress. The various unions and central labor bodies are affiliated to one of the three world labor federations.

Is it any wonder that we have difficulty thinking and acting collectively as Canadian workers, let alone as part of the worldwide working-class movement?

Another way to look at this problem of fragmented structure can be seen in the annual report of the General Electric Corporation (GE), with headquarters in the United States. The largest proportion of members of our union [UE] work for the Canadian subsidiary of GE. General Electric boasts that it has 367,000 workers throughout the world, and that its 93,000 manufacturing workers in the United States are represented for collective bargaining purposes by "300 local collective bargaining groups," which belong to a variety of U.S. unions. While valuable steps have been taken by the major unions representing U.S. workers to coordinate their bargaining, General Electric, over the years, has profited enormously by the organizational divisions among its workers.

When we look at the same corporation internationally, the situation is considerably worse. Not only are there no regular contacts among the many unions representing GE workers around the world, no one even knows how many different labor bodies represent GE workers internationally, let alone who they are and how to make contact. While the problems of fragmented structure are enormous, there are some fairly obvious solutions that we will discuss shortly.

The ideological differences are more serious and more difficult to resolve. While international trade union solidarity has proven very elusive, trade union solidarity on a national basis has also been elusive in most countries. It certainly has been a major problem in Canada.

Not only do major ideological differences divide the various national labor centrals in Canada, they divide the many local,

national, and international unions. Our own union, and a number of other left unions in Canada, went through terrible inter-union struggles during the Cold War years of the 1940s and '50s. Many of us were kicked out of the Canadian Congress of Labour and were victims of vicious raids and attacks.

Throughout that period, the left in the Canadian labor movement, while fighting back against the attacks on it, tried to keep its larger perspective on the need to overcome these differences in the name of trade union unity.

To the credit of many of those who attacked us, although it took a long time to happen, there was a recognition that inter-union warfare was working to the detriment of all of us. We were welcomed back into the Canadian Labour Congress in 1972, sponsored by some of those who had been our most bitter foes during the Cold War years.

## **The Terrible Toll of the Cold War**

I cite this painful example because there are important lessons which can be learned from it. One is the terrible toll of inter-union warfare, the very opposite of unity. A number of important Canadian unions, such as the Canadian Seamen's Union, were destroyed. Other unions, while surviving, were reduced to a fragment of their former selves. Perhaps most seriously, all workers in Canada were victimized because employers, regardless of the union which represented their workers, were able to take significant advantage of the fact that so much trade union energy was being taken up by interunion struggles instead of unified struggle against the boss.

The other lesson is that reconciliation was possible without the left having to abandon its commitment to militant trade unionism. Although the surviving left unions are back in the Canadian Labour Congress, there continue to be serious ideological differences. The left unions continue their commitment to socialism and class struggle policies, and a majority of other unions in the Congress continue to espouse a very narrow, economist approach to trade unionism.

In other words, while we have achieved some measure of unity in Canada to the benefit of the workers we represent, we continue to have serious differences internally. The left, though, now has some impact on the decisions of the mainstream labor movement.

## Unique Problems of Canada

We in Canada have some unique problems in the larger context of problems that we all share under capitalism. Canada has the highest level of foreign ownership of any industrialized country. Canada has a stunted manufacturing sector which puts serious limits on our economy.

For us in Canada to confront and overcome these problems, we have to develop much more national trade union unity and much more consciousness of the causes and solutions to these problems. This raises issues of trade and protectionism, control of currency, and other matters that could have a negative impact on our brothers and sisters in other countries with which Canada has trade relations.

The challenge before us is how to foster greater international trade union unity so we can deal with the issues that confront us, given the international character of the capitalist system and the transnational character of the corporations that dominate the system, while at the same time fostering unity on a national basis to confront the problems posed by the actions of the state and of the transnationals operating within that state.

Another way to put my point is that we must constantly seek unity through struggle—struggle at the local level where we work, struggle at the national level which forms the political unit in which we live, and struggle internationally against the transnationals and the system which is the root cause of workers' problems. Conferences, policy debate at conventions, and informal discussions are important for laying the groundwork for unity, but it is joint struggle that provides the forge for trade union unity that will endure.

If we seek our unity through joint struggle, we will avoid the trap of seeing limited organizational linkages as ends in themselves, and we will be able to resolve the apparent, but false, contradictions between national unity and objectives and international unity and goals.

## Achieving Unity

Having said all that, I would be remiss not to go to the more difficult question of what we can do concretely to foster unity.

One of our most immediate needs is more information about what is happening to our fellow workers throughout the world

... information about the vast activities of transnationals, of which any one of us knows only a part.

It is equally important to have the regular means of sharing information of the struggles (both issues and tactics) in which our brothers and sisters elsewhere are engaged.

This sharing of information will require a number of things. One is establishing contact among the research and information departments of our various unions. It has proved very useful for us in our union's fight against a recent Canadian General Electric plant closure to have access to information of the situation faced by GE workers in the United States who are represented by the UE and the IUE.

A second is having periodic conferences where trade unionists from around the world can meet to exchange information and experiences.

A third is to encourage the national and world federations to begin to establish links, at least at the level of sharing information. Local or national unions can take advantage of their own conventions to invite speakers from similar unions elsewhere in the world. Local and national unions, as well as provincial and national federations, can encourage trade union exchange visits. Having participated in several of these in recent years, I can attest to their importance in bridging gaps that divide us and in getting ideas that will prove helpful in one's own union situation.

A major way to move to greater unity is to join in existing struggles where international solidarity is essential. The long struggle of the United Farmworkers Union in the United States has drawn trade union support throughout that country and Canada. Without that national and international support, their victories would not have been possible.

When facing transnationals, such joint efforts are especially important. The current struggle against Litton Industries by a coalition of unions in the United States provides an ideal vehicle for us from other countries to join together to expose this vicious, union-busting transnational, up to its armpits in military production.

The international solidarity shown the United States air traffic controllers (PATCO) when their union was disbanded and they were all fired did not reverse the decision, but it provided a first chance for many unions around the world to join

together and to see a graphic demonstration of the need for a joint response to repression.

These are but a few campaigns. The same kind of joint involvement has been taken in some situations as workers employed by the same transnational come together to develop common demands and to counter the divisiveness that is a key weapon of transnationals in their fight against the workers.

Ford workers, in unions belonging to the ICFTU (International Confederation of Free Trade Unions), have gotten together for just such a purpose. This is a laudable step. And think how much better it will be when such conferences can involve Ford workers whose unions belong to the WFTU (World Federation of Trade Unions) and the WCL (World Confederation of Labor; formerly the International Federation of Christian Trade Unions).

The WFTU Commission on Transnationals recently convened a conference of unionists employed by Renault, General Motors, Rhone-Poulenc, DMC, and United Brands. This was a first step toward achieving greater solidarity among workers in their struggles against these giant transnationals.

### **Union Conferences Against Transnationals**

Conferences need not be limited to those based on workers having the same transnational employer. It is equally important to have conferences to plan joint action around workplace issues that transcend any single transnational employer, issues such as technology. New technology, designed on behalf of the transnationals and the military (primarily the Pentagon), is one of the major threats facing workers today. The problem is not technology itself, for our technological capabilities can be used for a host of progressive ends. The problem is rather that transnationals have shaped and developed particular technologies with certain ends in view—deskilling work and centralizing control in the hands of the employer.

The new communications technologies are expressly designed to meet the special needs of the transnationals in governing their far-flung empires from corporate headquarters in Detroit or Dearborn, Michigan; Fairfield, Connecticut; or Toronto.

Trade union conferences are needed that address the issue of technology; not in terms of how we are going to adapt but rather how workers can take control of the technology for our

own interests. The Labour Council of Metropolitan Toronto held such a North American-wide conference on just that topic in April 1984.

Finally, there is also the opportunity to foster unity through joint struggles aimed at issues that go beyond the workplace. For example, there was recently a World Trade Union Conference on the Social and Economic Aspects of Disarmament in the Power Industries which brought together representatives of 72 national and ten international trade union organizations of mining, oil, and power industry workers from 57 countries.

At the recent Prague peace conference, 500 trade unionists from 82 countries were among the 3,500 delegates.

Opportunities such as these are crucial if we are to achieve our goals. And, I might add, there is no issue that brings all our concerns together more than the issue of peace. Not only are all our other struggles dependent on winning the struggle for peace, the issue of peace lays bare the whole nature and philosophy of the capitalist system, of its greed and willingness to destroy to achieve profit.

Our steps toward unity do not primarily involve formal organizational changes. Steps, such as those we and others have described, would take us a long way along the path to unity in our struggle for peace, justice, equality, and freedom for the working class. Our opponents are the mighty transnationals that have shown repeatedly that they, and the states that represent their interests, will stop at nothing to protect those interests.

Our task is to renew our resolve and to explore new ways to overcome these opponents.

We also have to recognize that there will be issues where workers in one country may have goals that are in conflict with the goals of workers in other countries. Given the nature of the world we live in, these conflicts are bound to arise from time to time.

Let me illustrate with two examples of "domination" of Canadian trade unions by their U.S. leadership and of the kind of "conflicts" that can and do exist between workers in Canada and in the United States. Canadian autoworkers felt that the recent UAW agreement in the States was settled too much in the interests of the corporations, especially General Motors. It was not in the long-term interests of U.S. auto workers—and it certainly wasn't in the interests of Canadian auto workers.

Our people understood this—and that they were not going to



go that route. The Canadian UAW insisted on a set of Canadian priorities that would address the needs of Canadian auto workers and they set out to get them. This, as we understand from reading the general press, led to some interference by the International leadership of the UAW—and we now see the UAW working out an agreement that will result in a totally independent Canadian UAW.

Or consider the actions the Steelworkers' union has taken when it comes to protecting the jobs of steelworkers in the States.

One of the greatest challenges facing the labor movement anywhere is that of protecting and creating jobs. But, can trade unions in Canada allow the jobs of Canadian workers to be destroyed in order that the jobs of U.S. steelworkers be protected by import quotas—including quotas that would limit imports from Canada?

I think not. To do so would be to go against the long-term interests of Canadian workers. An independent Canadian labor movement will be better able to defend the interests—both short and long term—of Canadian workers.

In the long run, no workers anywhere have fundamental interests that divide them. Even in those situations I've mentioned, temporary conflicts can be resolved in the process of struggle against the common enemy—the handful of transnational corporations that exploit workers everywhere.

I cite these Canadian experiences because they bear centrally on the points I want to raise with respect to the issue of ideological differences and the quest for international trade union solidarity.

### **The Obligation to Pursue Unity**

First, whatever the ideological differences among legitimate trade unions, we all have an obligation to pursue unity, however difficult that may be and however wide the divisions among us. The only real beneficiary of worker divisions is the bourgeoisie.

The second point is that those of us who are socialists must never sacrifice our convictions to achieve unity, whatever other sacrifices we have to make. There is always the danger of losing sight of policy in our zeal to achieve international solidarity.

For example, one of our objectives must be to establish links

among unions representing workers working for the same transnationals. A real goal of our union is to develop ties with unions representing General Electric workers throughout the world. Since that goal is so difficult to achieve, it is always possible that our quest for it may cause us to ignore some of the very real problems to which such links could lead.

Ties between Canadian or U.S. unions and Third World unions could be used by the U.S. or Canadian business unionists to export their ideology to their brothers and sisters in the Third World. I am not suggesting that this would be done in a direct or obvious way, since I have every confidence that, if it were, the Third World unionists would rightly reject it.

This export of business unionism could happen much more subtly. By making our goal the establishment of links among all workers employed by a given transnational corporation, we could inadvertently convey the message that the problem is the transnational, rather than the capitalist system of which the transnational is a product. This effort, which is characteristic of contemporary business unionism, would work to the detriment of all workers.

The alternative is to pursue international links among workers employed by a given transnational to assist in the business of collective bargaining, to fight plant closures, to increase health and safety, and all the other day-to-day business of unions, while at the same time being clear that it is merely the defensive part of the struggle. That level of struggle is necessary for us to survive, but not enough for us to get at the root of the problems we face as workers in the capitalist world.

The other reason for international trade union unity is to give us the means to struggle against the international capitalist system that is our common foe.

# 12 ♦♦ LABOR NEEDS A LABOR PARTY

♦♦John Henning♦♦

*John Henning is executive secretary-treasurer of the California Labor Federation, AFL-CIO.*

*The three editorials in this section appeared in the California AFL-CIO News in 1979, 1980, and 1985, respectively.*

## Labor Day—1979

There are signs American labor may be entering a decade of historic political change as the 1980s approach with their possibilities for national progress or decline. Labor's dilemma is clear enough: the two-party system is no longer serving the economic and social interests of the American working people. Indeed, the two parties appear simply one institution, with Democratic and Republican departments alike financed by the corporate community. It is that way in state after state across the nation.

The party of Franklin Roosevelt is no more, save for the principled few. Democrats in high places preach contempt of social programs directed to the relief of slum families. Others deny public employees survival wages in a time of scandalous corporate profit. Others call for an end to inflationary spending while soliciting millions of dollars for political use.

As to the Republicans, their rigid party doctrines have been anti-labor and anti-poor through most of this century, and much of the last.

Political conservatism inevitably follows from the power of

corporate contributions. The dimensions of political spending were dramatically displayed in the California general elections of last year, when in contests for statewide and legislative offices, corporations provided 77.2 percent of all moneys given candidates. Labor's part of the whole was eight percent.

In the face of such financial realities and realizing there is no present alternative to the one-party structure, Labor must consider the advantages of a separate political party.

Labor parties have long led the way to progressive law in such democracies of the western tradition as Britain, Norway, Australia, and New Zealand. They have assured unions of bargaining freedom and have written inspiring history in such areas as health, medical care, and housing. They are free of corporate giving and thus of corporate control.

American labor in the coming year should, through its vehicles of education, study and measure the Labor Party experiences of the democratic nations. Our blind acceptance of external political authority finds us beggars at the table of national abundance. We deserve better than that.

## **Labor and Politics—1980**

Our Federation's Labor Political Action Conference of Thursday, June 5, was a rousing success. So much so that Al Barkan, National Director of AFL-CIO COPE, said he plans to recommend similar sessions to the other 49 State Federations.

Almost 200 trade unionists attended the education conference at the Biltmore Hotel in Los Angeles. The morning session was devoted to discussions of Labor and Coalition Politics. The afternoon review covered Labor and the Primary Election System.

Featured speaker of the morning session was Jacob Clayman, president of the National Council of Senior Citizens and until last year president of the AFL-CIO Industrial Union Department. Al Barkan was key speaker of the afternoon session.

One great value of the conference was audience participation. For an hour and a half at each session delegates came to the microphone to give views on the need for coalition politics, on the difficulties which attend selection of candidates in the primary system, and on the political direction of Labor.

Of equal value was the unrestricted expression of political opinion. The necessary time restrictions of formal conventions

don't permit that kind of presentation. We must have more opportunities such as that offered last week to hear the convictions of our officials and members whether they be liberal, conservative, or whatever. Indeed, we were hearing concepts that needed to be heard.

Also emerging was the compelling understanding that the national issues of the 1980s are far more complex than those of 30 or 20 or even 15 years ago. If Labor's political approach is based on old and simple memories, then Labor is doomed in a nation that has witnessed democratic revolutions affecting race, women's rights, peace, youth, the elderly, and the environment.

More than a few political attitudes of the past have required strong rejection. The presidential coalition of Franklin Roosevelt, for example, was based importantly on the electoral power of the Old South where blacks were excluded from the voting process by local law. Never again, never again.

The America of 1980 is not the America of the 1930s, '40s, '50s or '60s. If we don't understand that, we shouldn't ask for public confidence. And yet we too often talk as if the labor movement and the nation haven't changed since the days when Sam Gompers opposed unemployment insurance as an intrusion of government power.

### **The One-Party Trap—1985**

Somehow there must be a better way. A better way than labor servitude in the one-party trap of national politics. Aside from inclusion of nonprofit workers under the NLRA and the enactment of federal OSHA, Washington has added nothing to labor law since the death of Franklin Roosevelt. Nothing good, that is.

During Democratic administrations of the past 40 years labor agencies have been rather well governed but within purposes withered by time. It's worse now as national Democrats crawl toward the center in the struggle between labor and its mortal enemies.

John Sweeney, president of the Service Employees International Union, spoke about most of this in his address to the state AFL-CIO's legislative conference this week in Sacramento.

Scorning conservative Democrats, whom he likened to Republican clones, Sweeney said that in abandoning their lib-

eral past they had doomed their party's future. In a litany of indictments, Sweeney said the party of Roosevelt is beholden to financial interests. He charged that corporate leaders ordered Walter Mondale to discard populist arguments in his presidential campaign.

Sweeney was blunt: "We get Democrats supporting budget cuts and Social Security freezes and increased military budgets and aid to the Contras and phony tax reforms."

Sweeney proposes that labor return the Party to the philosophy of Roosevelt, Truman, and Kennedy by leading the in-house fight for workers, the poor, women, and minorities.

If we accept the premise that there is no progressive alternative, the idea of reformation makes sense. However, liberalizing corporate influence is akin to putting Tip O'Neill on the moon. It could be done but don't hold your breath.

If reformation ever comes it will follow the Party defection of John Sweeney and his peers in the labor movement. A new age would then begin.

# 13 ♦♦ OUR WORK IS CUT OUT FOR US

♦♦Edward Asner♦♦

*Actor and activist Edward Asner is the former president of the Screen Actors Guild.*

*He delivered the following speech at the American Federation of State, County and Municipal Employees convention in San Francisco on June 20, 1984.*

Good afternoon:

I am proud to be here today, not just to address your union's convention, though that is indeed an honor, but because it gives me the opportunity to speak with you, the people who *really* make America work.

"I hear America singing," the poet said, "the varied carols I hear. Each singing what belongs to him or her and to none else ..." And I thank you for those songs ... for tending to our cities and our parks, caring for our children, bringing comfort to our ailing friends and aging parents, processing the forms that ensure our entitlements, for the endless days of typing and filing, for the lonely nights spent patrolling dark corridors....

And above all, I thank those brave souls among you who function within the bureaucracies but refuse to become a part of them, those of you who refuse to be worn down by small minds and trivial rules, who retain a sense of humanity despite the pressures of the workplace, who find the time within your busy days to reach out to the people you serve, who sustain the system when it is humane and viable, who fight the

system when it is mean or arbitrary, and who are wise enough to know the difference between the two.

These are tough times for all of us, and especially for those of you in the public service, because—speaking as a private citizen, of course—that man in the White House has nothing but contempt for the work you do and the people you serve. In fact, it seems as though one of his goals is to turn you from public servants into public slaves!

I am constantly bemused at the fact that our current President was indeed my former union president, although it has often been suggested that actors and politicians are made of the self-same cloth.

One could say that an actor, like a politician, has a unique relationship with language, with words. . . . On stage, we use those words to create an illusion, we manipulate symbolic meanings to create an emotion. However, the role of the true artist is to use those tools to shed new light onto our existence and to seek out an inner truth.

Our President, however, is a man who shamelessly exploits the tools of his old trade, not to reveal, but to hide; not to clarify, but to confuse; not to explain, but to mislead.

He is a master of illusion but, alas, not of truth. He speaks of "recovery" while our members' hands are idle. He speaks of cutting corporate taxes while our members lose their houses and their savings. He speaks of peace while he funds the war machine.

Day after day, we strain to hear some substance behind the barrage of empty words, some recognition of our plight, some acknowledgment of our fears, but we listen in vain.

What do we hear? Not the language of jobs, tax justice, nuclear freeze, or national health care, but empty rhetoric based on a mirage of economic well-being . . . and protected from discovery by a veil of misplaced patriotism . . . the age-old ruse of manufacturing outside threats to prevent internal scrutiny. Sam Johnson was right when he called patriotism "the last refuge of the scoundrel."

In one of his essays ["The Conservative Majority Syndrome" in *Annals of an Abiding Liberal*], John Kenneth Galbraith describes:

... the powerful and wonderfully persistent forces that recurrently try to persuade us that conservatism is the wave of the American future. These instruments of persuasion are brought to bear at all



times and with much success on the Congress. And before all elections, they are directed with great energy at the Democratic party and the nation at large.

The purpose does not vary. It is to persuade all susceptible citizens, but legislators and candidates in particular, that the country has, at long last, moved sharply to the right. Politically speaking, there are no poor, no aged, no sick, no blacks, no other minorities, no people seriously squeezed by inflation, not many for whom unemployment is a major issue, no one whatever whose health, education, food, shelter, protection from economic abuse or exploitation, or even whose survival itself depends on the services of government.

Instead, there are in this Republic only indignant taxpayers deeply angry about the willful idleness of public servants and the unemployed.

The only sophisticated policy is their appeasement. The prime enemy of the people is government, save as it involves itself in the exigent and increasing needs of national defense and those bankrupt but still meritorious corporations. The ultimate tendency (and hope) of our politics is toward two equally conservative parties competing for the votes of the great conservation electorate.

Sound familiar, perhaps? I would say that Mr. Reagan certainly fits the mold—in fact, he is the mold, in all senses of the word. But Galbraith then goes on to make an equally interesting observation: he suggests that this “conservative majority syndrome,” as he calls it, benefits from

... the deep desire of politicians, Democrats in particular, for respectability—their need to show that they are individuals of sound confidence-inspiring judgments. And what is the test of respectability? It is, broadly, whether speech and action are consistent with the comfort and well-being of the people of property and position. A radical is anyone who causes discomfort or otherwise offends such interests. Thus, in our politics, we test even liberals by their conservatism.

Unfortunately, this too rings a bell with me. We, too, seem to have the tendency to sometimes choose respectability over efficacy, to undermine the natural radicalism which is the *raison d'être* of the labor movement.

As one historian pointed out, “during the savage 1960s, there were race riots, campus riots, political riots, youth riots, even musical riots, but there were no labor riots.”

We, of all people, should know what Frederick Douglass asserted more than a century ago, that

the whole history of the progress of human liberty shows that all concessions yet made to her august claims have been born of earnest

struggle.... If there is no struggle, there is no progress. Those who profess to favor freedom, and yet deprecate agitation, are men who want crops without plowing up the ground, they want rain without thunder and lightning. They want the ocean without the awful roar of its many waters.

It is a credit to this union that you have held on to some of that "radicalism" in the best sense of the word. That you are willing to organize, willing to struggle, willing to sow the seeds of activism to reap a harvest of human dignity.

We must be willing to struggle and agitate against an administration that would have us believe that all is well with America, that the economy is healing; that the military budget is more important than food, clothing, and shelter; that there's a commie in every bed and that human rights are alive and well in El Salvador.

Judging from the administration's track record, wouldn't you rather listen to a poet—a young woman named Carolyn Forché? She tells us:

What you heard is true. I was in his house. His wife carried a tray of coffee and sugar. His daughter filed her nails, his son went out for the night. There were daily papers, pet dogs, a pistol on the cushion beside him. The moon swung bare on its black cord over the house. On the television was a cop show. It was in English. Broken bottles were embedded in the walls around the house to scoop the kneecaps from a man's legs or cut his hands to lace. On the windows there were gratings like those in liquor stores. We had dinner, rack of lamb, good wine, a gold bell was on the table for calling the maid. The maid brought green mangoes, salt, a type of bread. I was asked how I enjoyed the country. There was a brief commercial in Spanish. His wife took everything away. There was some talk then of how difficult it had become to govern. The parrot said hello on the terrace. The colonel told it to shut up, and pushed himself from the table. My friend said to me with his eyes: say nothing. The colonel returned with a sack used to bring groceries home. He spilled many human ears on the table. They were like dried peach halves. There is no other way to say this. He took one of them in his hands, shook it in our faces, dropped it in a water glass. It came alive there. I am tired of fooling around, he said. As for the rights of anyone, tell your people they can go fuck themselves. He swept the ears to the floor with his arm and held the last of the wine in the air. Something for your poetry, no? he said. Some of the ears on the floor caught this scrap of his voice. Some of the ears on the floor were pressed to the ground.

There is no way to get around the fact that in Central America our government is supporting regimes antithetical to every

American ideal except the unsullied quest for wealth. We are supporting governments in which the oppression of unions is commonplace, where torture and assassination of labor leaders is a cliché.

In evaluating our government's foreign policy, we must constantly ask ourselves where the true interests of working people lie. Are we really supporting free trade union movements, or are we supporting the interests of our runaway employers and their foreign investments?

It is also indicative of our problem as a movement, when a political candidate can identify us as a "special interest group" and actually have otherwise intelligent people believe him.

Labor's strength has always been to be special, without being parochial. Only in reaching out to the entire spectrum of people who labor, can we hope to counteract and eventually overcome the anti-union prejudices in those who should be our allies.

Minorities, women, the nuclear freeze movement, senior citizens, environmentalists, anti-war activists, the poor, the unemployed—they and we are inseparable, because they are us. And we are all victims of the callous administration that is holding our dreams hostage.

Oscar Wilde defined a cynic as "a man who knows the price of everything and the value of nothing."

Well, Reagan and his cronies are the ultimate cynics, they know our price but never our value. And all too often, that cynicism infects us, and we begin to doubt our own worth.

But we, you and I, cannot afford the luxury of cynicism, for labor is lost without optimism. We are here because we are not yet too cynical to believe we can change the world. Because we are hopeful that the future can eradicate the injustices of the present. To be here is to be angry that our government has abandoned us; to be here is to commit ourselves, and our votes, to changing that government and bringing back the American dream of liberty and justice for all.

And to be here is to believe in solidarity, to believe that together we have the power to make a difference, to believe that our collective voices can shout down the wall of cynicism and indifference that keep us from what is rightfully ours.

We do not want to see our beautiful America turning into a bully, both at home and abroad. As children, we're taught to despise bullies; yet we watch our country pulling on its boots, winking and smiling in open acknowledgment that it's OK to

have a double standard for Poland and for PATCO; that it's OK to have two Americas, one impoverished and below the water line, struggling for the breath of life, and the other waxing fat and gluttonous.

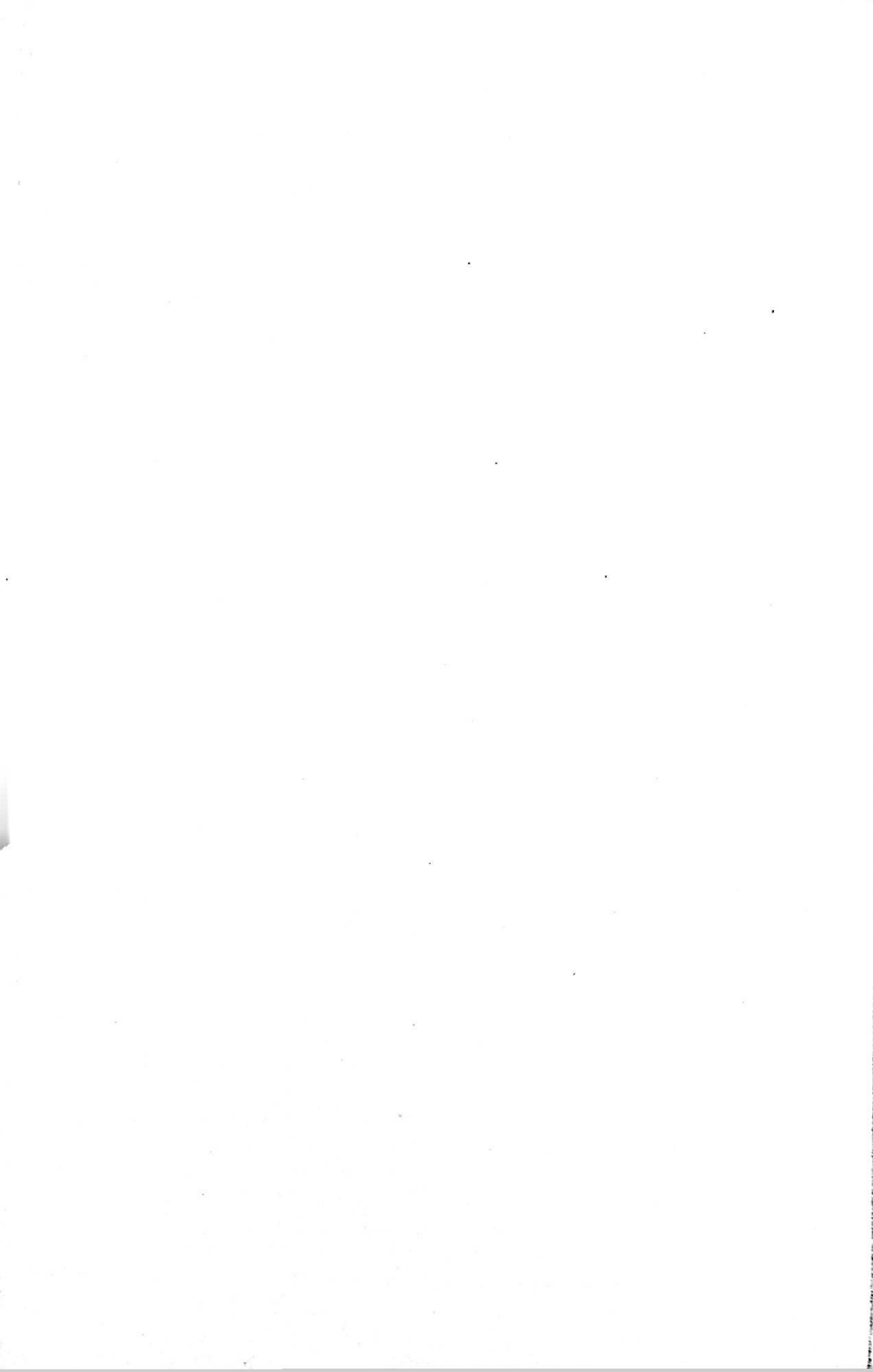
Only the rich have recovered in the recovery. For the others, for those desperately struggling to stay afloat, there is no change. The two Americas, that of the haves and the have-nots, are drifting farther and farther apart.

But we will not be washed out to sea, nor drown in this administration's terrible undertow. From the debris of the 1984 elections, we will forge new partnerships, revitalize old dreams of equity and justice—and together we will build the creative alternatives and leadership we need to reclaim our America, and make it beautiful once more.

The poet Langston Hughes said:

Oh, let America be America again—  
 The land that never has been yet—  
 And yet must be—the land where every man is free.  
 The Land that's mine—the poor man's, Indian's, Negro's, ME—  
 Who made America,  
 Whose sweat and blood, whose faith and pain,  
 Whose hand is at the foundry, whose plow in the rain,  
 Must bring back our mighty dream again.  
 O, yes,  
 I say it plain,  
 America never was America to me,  
 And yet I swear this oath—  
 America will be!

El pueblo unido jamas sera vencido.  
 The people united will never be defeated.



# THE SHINING MOMENT AFTER WORLD WAR II

Within one year, two new armies were forming in the United States, girding for battle in one of the dirtiest, longest undeclared wars in U.S. history: the Cold War Against Labor. Each side assessed its position and then started looking for allies.

# 14 ♦♦ THE ARMY SET MY FOOT ON THE PATH OF LABOR

♦♦ Marvin Caplan ♦♦

*Marvin Caplan was the legislative representative on Capitol Hill for the Industrial Union Department, AFL-CIO, and Director of the Leadership Conference on Civil Rights (1963-1981). He was a Director of the AFL-CIO's memorable Solidarity Day Rally on September 19, 1981. Today he is a columnist and writer in Washington.*

*In section 67 he describes one place his feet took him in 1950.*

It was a strange miscalculation on the part of the U.S. Army in World War II: instead of a man, they made a radical of me. And that was not an easy thing to do.

My first 19 years were spent in a sheltered enclave of snug row porch houses and family stores in West Philadelphia. Most of the storekeepers and homeowners were Jews; Dad was their provisioner. We lived behind and over his kosher meat market, and I grew up helping my parents in the business: I delivered orders in a battered Chevy truck; fashioned roasts and steaks and chops; plucked the wing and body feathers, singed the pin feathers, yanked the guts out of the loose, still-warm bodies of fresh-killed chickens.

And I hated every minute of it.

Two years out of high school, the thing I dreaded most was Dad's dearest wish: to see the sign on our store windows changed to JOS. CAPLAN & SON. It struck Dad as *narishkeit*, foolishness, for me to want more schooling, when I already had

a profitable trade. Anyhow, we couldn't afford to have me go to college fulltime—the bank failures of the Great Depression had nearly wiped us out. So I went at night, after work.

My secret dream was to become a writer or, failing that, a high school English teacher. Language and literature were my great passions, especially German language and literature—a mad infatuation when you think about it, for Hitler had undertaken the extermination of the Jewish people. But I was above such considerations. I neither knew nor cared about politics.

My guides in such matters were those pillars of propriety, the *Philadelphia Inquirer* and the *Evening Bulletin*. While I didn't hate Franklin D. Roosevelt as much as they did—after all, my parents had voted for him and my mother loved him—I was influenced by their characterization of him as a tyrant and an unscrupulous schemer. The word “boondoggle” was often in their editorials to describe Roosevelt's work, or “make-work” programs—futile, the papers said, since they paid grown men “just to lean on shovels.”

And the papers were right. I could see that with my own eyes. The trolley that carried me to my night classes at Temple University went right by the Art Museum, where a WPA landscaping project was underway. When I looked out the window late on a summer afternoon, I could see men standing about, *leaning on their shovels*. It vexed me to see Dad's taxes spent on that. Contemptuous, I returned to the book on my lap.

#### AND THEN THE JAPS BOMBED PEARL HARBOR.

I saw the war as my chance to escape the butcher business. A few weeks before my induction, my cousin David dropped by the store in his sergeant's uniform to counsel me.

“Marv. Listen. This Army's short on butchers. Once they know you cut meat, you can almost write your own ticket. Look at me. Only nine months, and I already made sergeant. I don't hafta fall out for drill or reville. I don't pull KP. I got my own room off the mess hall. Uh course I gotta cut the company's meat an' chicken up every day. But after that—I'm on my own ... Marv. You won't even know a war's on. Listen to me.”

I did. When they handed me a questionnaire at the induction center and I came to *Civilian Occupation*, I didn't hesitate. I wrote, “Truck Driver.”

For that, the Army sentenced me to eight weeks basic training in the Tank Destroyers Corps, Camp Hood, Texas. By foot and by jeep, in the summer of '43, under a blazing sun, we Quaker Town rookies jogged and jolted over Hood's bare hills;



we crawled on our bellies over the obstacle course; we subsisted, or so it seemed to me, on rationed water and salt tablets.

One day stands out in that parched, sweltering blur: the day I was sent out to dig latrine trenches. We began in the cool of the morning, but soon the sun was up. Digging was new work for me. The only times I'd used a shovel was to clean snow off the sidewalks in front of the store. Now, as I labored, I had a revelation. Stripped to the waist, my undershirt knotted around my brow, gasping, my glasses fogged with sweat, I suddenly realized I *was leaning on my shovel*. My God! Of course! There is no other way. You cannot dig a ditch without leaning on your shovel. I went back to the barracks with more than an aching back to think about.

New shocks to old convictions were not far off. I was summoned for an interview. A captain, who looked more like a Temple professor than a military man, glanced up from my records and asked, "How would you like to go back to school?" Sunburnt, blistered, dehydrated, I said I'd like that very much.

"Well. You look like a likely candidate. You scored exceptionally high on your AIT (Army Intelligence Test). And I see you've had almost the equivalent of two years of college. But some damn fool sure bollixed up your record. Put you down as Truck Driver. Let me change that now. . . . Student."

As a student, then, I was shipped to another camp and given a battery of tests for the Army Specialized Training Program (ASTP). A second lieutenant soon called me in to say I had done well in General Language Ability and German. "We want to assign you to a language program. I think you'll clear."

When I looked puzzled, he went on. "You need clearance for ASTP. Some of the programs are *highly* sensitive. But I find nothing derogatory in our preliminary security check."

I swelled with pride.

"Some of these GIs, though. We've had to hold up on one soldier today. Brilliant score, too. But our security check showed he once subscribed to *The Daily Worker*. Can you imagine?"

For some reason, I felt disquieted as I left his office.

SECURITY. It was the watchword of my new career. For security reasons they wouldn't tell us where or what we were to study. And when, in broad daylight, we boarded the train that was to carry us to school, we were startled to find the shades pulled down and the coach lights on. It was a bit of a letdown when the train stopped many hours later, to raise the

shades on a spot no more glamorous than Ann Arbor, Michigan. After we reported for orientation at the University, they sprang a new surprise. All the men in my company had qualified in French or German. To our consternation, we were informed that since those programs were full, we would study Japanese.

Japanese! I knew from the *Bulletin* and the *Inquirer* that the Japanese-American population was a potential fifth column, whose internment was essential for national security. Now, in our classroom, we came face to face with the enemy. Try as I could, I found it difficult to feel menaced by our teachers. By the *Issei*, the immigrant generation? cherubic, baldheaded old men? plumfaced, bucktoothed, smiling little matrons? By the *Nisei*, then, the second, American-born generation? slangy, snappily-dressed youths? gentle, porcelain-skinned maidens? Was it Oriental guile that made them so disarming?

An Army that seemingly frowned on fraternization, provided opportunities for it. As we chatted with our teachers before or after class, strolled across the quadrangle together, sampled our first Japanese meals in their apartments, our suspicions began to fade. Bit by bit, we learned of the terrible disruption that had befallen them: of homes and farms and businesses sold at a loss or confiscated without compensation; of professions interrupted and college careers abruptly ended; and of the final humiliation of the internment camps on the West Coast. Our teachers had been released from the camps by volunteering to instruct us. No doubt my newspapers might still question their loyalty. But how could they be counted disloyal, I wondered (and remembered the shovels), if to teach us they had to undergo a security check as rigorous as our own?

They taught us Japanese, of course. They taught some of us indignation, too.

The first sparks of doubt were struck. There were quite a few men in Company D who were ready to fan those sparks.

Our company ran heavily to men with a passion for language and literature. I was soon one of a circle that shared my enthusiasms: poetry, music, words—written and spoken. Above all, the spoken word. Talk was our supreme diversion. It dominated our free time, our late night dorm room snacks, our weekend picnics in the Arboreteum with the women we had come to know. And almost every Saturday night, there was a beer and bull session, where we sat and drank and talked till early morning.

♦♦ WORKING TOGETHER ON THE HOME FRONT ♦♦



During World War II, the number of women in the workforce grew from 12 million to 18 million. Women workers contributed mightily to the war production needs, working side by side with men in heavy industry.

♦♦ Credit: Kaiser Industries Archives; reprinted with permission of Reinhard Schultz, The Other America Project, Berlin (West).

Not everything said was serious. I learned the best dirty limericks I know at these confabs. But when the talk turned sober, as it often did, it turned, to my discomfort, to politics. The postwar plan of some of my new friends was brief and breathtaking: to set the world to rights. To the consideration of *how* that was to be done they devoted many hours.

I sat on the sidelines of many hot debates, mute in my ignorance. But soon I was drawn into the discussions. I liked to talk, too. In Company D, that bastion of top security, I tasted the first pleasures of subversive thought. I began to read the books that lay about, standard works of American and British socialists. There was even a copy of *Das Kapital*, though I was safe from that; I had no head for economics. But what *was* read and said began to change my view of things.

Who were my instructors in these heresies? Rumples GIs like me. Men as eager and troubled about women as I was. Beer reddened their faces as often as intellectual fervor did. But my faculty of friends included the later dean of an Ivy League law school, the labor editor of a major California daily, a professor of U.S. history who wrote a major study of socialism....

When our year in Ann Arbor was over, they split Company D in two, shipped the bottom half overseas, promoted the rest to Corporal and sent us to Arlington Hall, a military intelligence post a few miles outside of Washington. We worked the night-shift, studying military Japanese and decoding intercepted radio messages. Our days were free to spend on Capitol Hill, observing the legislative process in committee rooms and on the floors of the House and Senate. I knew then, that after the war this was where I wanted to live and work.

We were still in Washington when they dropped the bombs on Hiroshima and Nagasaki. Our own reaction was mixed: we rejoiced that the war was over; we were appalled at its conclusion. For the bombs fell on cities that we felt we knew; on people no longer faceless, whose language we could speak, however haltingly; on the friends and kinfolk of the teachers we had come to respect and cherish. Our joy was tempered by a curious sense of personal loss.

The bombs shortened the war. A group of us was soon enroute to the West Coast, to be sent overseas as part of the Army of Occupation. In Chicago, we were transferred to another train, a string of ramshackle coaches called The Champion. It took us three days and two nights to make the

trip, jammed together in a hot, airless car, on mohair seats as rough as sandpaper. Bored, I took a tour of the train. The coaches I walked through were exactly like the one I'd left. But then I opened a door and stepped back in time, into a coach out of an old Hollywood Western. Its seats were upright, unpainted wooden benches. It was heated against the prairie winter we were pounding through by its own ancient, iron, woodburning stove. And it was occupied solely by Negro soldiers. We stared at each other in heavy silence before I turned and retreated to my seat. For the first time it dawned on me that there were black soldiers in the Army, too.

I saw the black troops once again, when we stopped in St. Louis for three hours. They issued us passes and told us we could leave the train. We encountered the black soldiers on the plaza in front of the station, lined up for drill.

"Poor bastards," one of my companions remarked. "They'll never let 'em loose in this Jim Crow town."

We wandered off into the city and came back near boarding time. The black soldiers were still on the open plaza, wheeling smartly to the commands a black sergeant barked at them.

I made it to California, but not to Japan. By then I was Army Surplus, sent back to my induction center to be discharged.

Some theologians say you can shape a child for life in four or five years. The Army shaped me in less than three. I didn't fit into the kosher butcher business anymore; I didn't fit into Temple University; nor into the Philadelphia school system.

When one of my Army buddies, a Southern radical, came through West Philly and invited me to join him in a publishing venture in Richmond, Virginia, I jumped at the chance. We edited a monthly magazine for the state's Jewish community, an enterprise his father financed. That was our cover. From under it, we engaged in other projects close to our hearts. We were founding members and officers of the first interracial veterans organization south of the Mason-Dixon line. We helped staff the soup kitchen in a laundry workers strike and wrote and printed their leaflets. We backed every political campaign against the entrenched Bourbons of the Byrd Machine. As board members of the NAACP, we worked, in vain, for desegregation of Richmond's buses and street cars. We helped organize support for Labor Zionists in the new state of Israel. The pattern of my life was fixed. My concerns, civil rights and the rights of labor, became my life's concerns.

# 15 ♦♦ THE BLACK COMMUNITY PREPARES FOR POSTWAR POLITICAL ACTION

♦♦ Charles H. Wright ♦ Mindy Thompson Fullilove ♦♦

*Dr. Charles H. Wright is an obstetrician and chairman of the Museum of African American History in Detroit, Michigan.*

*Dr. Mindy Thompson Fullilove is an assistant clinical professor of psychiatry at the University of California-San Francisco School of Medicine.*

*From Charles H. Wright, Robeson: Labor's Forgotten Champion (Detroit: Balamp Publishing, 1975), published with permission; and Mindy Thompson, The National Negro Labor Council: A History (New York: The American Institute for Marxist Studies, Inc., 1978), published with permission.*

Despite their heroic support of the war effort on and off the field, it soon became apparent to Black Americans that the promise of the peace was not to be fulfilled. In many areas of the country, especially the South, Black veterans found the door to opportunity as tightly closed as before the war. The Veteran's Administration regularly nullified the Black veterans' endeavors to secure employment or unemployment compensation. Discriminatory practices by lending organizations virtually eliminated many Black citizens, veterans, and others from the housing market. Many vocational schools offered

Black veterans only a narrow range of courses in fields that were already overcrowded.

The general structure of discrimination was unchallenged; that is, Black workers were uniformly excluded from skilled occupations. In 1940 their participation in skilled trades ranged from a high of 3.7 percent for painters and paper-hangers to a low of 0.7 percent for machinists, millwrights, and toolmakers. Black workers were still confined to the lowest-paying, dirtiest jobs. Of 32 occupations in the steel industry, for example, Blacks were jim-crowed into the eight lowest paid, heaviest jobs. On the airlines they were employed only as porters. In certain industries where Blacks had traditionally been employed, such as railroads, they were now losing their jobs. The position of Black women was particularly shocking. They were seldom permitted to work as clerical or production workers; by the 1940 census, almost four-fifths of Black women workers were employed in five of the lowest paid of the 451 census job classifications. The federal government ranked high on the list of employers who discriminated.

Before the war was over, some Black leaders began to explore new solutions to the problems of the Black worker. To this end a meeting was convened in Chicago on June 25 and 26, 1944. A group of Black Americans, along with sympathetic white trade unionists, met to form a Citizens Political Action Committee, an affiliate of the CIO. Among the leaders present were Mary McLeod Bethune, Robert C. Weaver, William H. Hastie, Canada Lee, and Paul Robeson.

On June 17, 1945, some of the same leaders and representatives of 25 national organizations, with memberships totaling 6,500,000, met in New York City to issue a declaration of Negro voters. This declaration cited six issues as being uppermost in the minds of Negro voters at that time:

1. The wholehearted prosecution of the war to total victory.
2. The elimination of the poll tax by Congress.
3. The integration of Negroes into the armed forces.
4. The passage of anti-lynch legislation.
5. The establishment of a permanent FEPC.
6. A foreign policy of international cooperation that promotes economic and political security for all people.

*Editors' note: The precursors to this 1945 meeting, and the subsequent formation of the National Negro Labor Council to work on these issues, are described in section 76.*

# **16 ♦♦ THE U.S. MAKES PEACE AND FULL EMPLOYMENT INTO LAW**

**♦♦ Charles Hayes ♦♦**

*See author note at section 9.*

*This is an excerpt from a speech by Congressman Hayes (D-Ill) given in March 1985 introducing the Income and Jobs Action Act of 1985 (Congressional Record—House H 1069), discussed in section 97.*

[W]hile planning how to win the war against the fascist Axis, President Franklin Roosevelt addressed the Congress on plans to win the peace. The foundation of any sound plan, he declared, would be an economic bill of rights.

The first of these was the right to a useful and remunerative job. He then set forth seven other rights. They dealt with decent wages, adequate housing, health care, social security, education, family farming, and protection against monopoly.

If these and similar rights were carried into practice, Roosevelt affirmed, America could build a new basis of security and prosperity for all—regardless of station, race, or creed. Thus America would never again return to the boom-and-bust business cycle of the past. Americans could be confident that with the termination of war-time spending, we would never again experience the catastrophic horror of the 1929 collapse and the depression that was ended only by World War II.

But should rightist reaction prevent the implementation of



economic rights, Roosevelt warned, then "even though we shall have conquered our enemies on the battlefields abroad, we shall have yielded to the spirit of Fascism here at home."

During the 1944 election campaign, Roosevelt took this issue to the people. This forced Thomas Dewey, his Republican opponent, to give lip service to jobs for all. But it was clear to most voters that Republican political service was more given to rightist reaction than to full employment. Roosevelt was re-elected to an unprecedented fourth term.

A few weeks after the election, Harry Truman—then Vice President-elect but still a Senator from Missouri—and Senator James Murray of Montana decided that new legislation was needed to make economic rights a reality. In their report of December 18, 1944 they stated that—

The so-called right to a job is a meaningless figure of speech unless our Government assumes responsibility for the expansion of our peacetime economy so that it will be capable of assuring continuing full employment.

They therefore proposed a full employment bill to establish responsibility for full employment planning. In February 1945—just 40 years ago—this bill was introduced in both Houses of the Congress. It was cosponsored by a bipartisan coalition of Democrats and Republicans. It was supported warmly by all sectors of the labor movement, all major religious groups, most mayors, many independent businessmen, and by the major organizations representing women and minorities. Under the leadership of President Roosevelt and then of President Truman, it was backed by all executive agencies—even the Federal Reserve Board and the Bureau of the Budget.

All the supporters were agreed that the enactment of the measure without destructive amendments would make American capitalism more responsible and more democratic. They knew that with full employment, market demand would be high enough to allow private business to earn good long-term profits without becoming addicted to military contracts, tax subsidies, and high-cost bailouts.

But the bill was strongly attacked by a small and extremely powerful minority of the people whom Roosevelt called Economic Royalists and Economic Bourbons. These people saw unemployment as a weapon to use against working people. They looked forward to the bargains they would pick up in the

stock market during recession or depression. They preferred the cozy comfort of federal contracts, loans, and subsidies—[over] genuine competition in a full-employment economy, [which] would give more power and status to women and racial minorities.

Without bringing these reasons into the open, they attacked the bill with pure demagoguery. It would lead to too much regulation and spending, they charged—perhaps even to socialism. These were the same shopworn arguments they had used against every New Deal measure to save capitalism—from bank deposit insurance to Social Security and the Labor Relations Act.

As a result of this opposition, the bill was weakened before becoming law in February 1946. The term “full” was replaced by “maximum.” More important, the right to a job opportunity was stricken.

Nonetheless, the bill crystallized in powerful form a growing consensus that the federal government has a basic responsibility to coordinate all its plans, functions, and resources to prevent another mass depression.

To implement this responsibility, the act

First, instructed the President to develop every year—and send to Congress in the Economic Report—an overall economic program to attain needed levels of employment, production, and purchasing power,

Second, set up the Council of Economic Advisers to help advise on such a coordinated program, and

Third, established the Joint Economic Committee to help Congress in coordinating legislation affecting economic policy.

*Editors' note: this bill was passed and became the Employment Act of 1946. It is found in volume 15 of the United States Code at section 1021.*

*Congressman Hayes discusses his bill to update the 1946 act in section 97.*

## THE SENATE PASSES A FULL EMPLOYMENT TREATY

### ♦♦ The Editors ♦♦

The spirit of peace and justice were strong among the delegates gathered in San Francisco in the spring of 1945 to estab-

lish a United Nations Organization. The peoples and armies of the free world had finally defeated Hitler and fascism in Europe, and were on the road to defeating fascism in Japan.

To preserve this spirit, 1,400 delegates from 46 nations worked and argued their way to formation of an international structure to keep peace, and a constitution or charter setting forth their points of agreement. Since the War had followed on the heels of another disaster, the Great Depression throughout the capitalist and colonial world, many delegates were determined to deal with this evil also. They saw the depression as one of the causes of the rise of fascism and war; to prevent war, nations must work to prevent massive unemployment and economic stagnation.

The delegation from Australia was particularly determined to include in the Charter a list of human rights that member nations must agree to uphold. Some other delegations were not so sure this was a good or feasible idea. The United States delegates at first opposed inclusion of a bill of rights, although the Australians' idea stemmed in part from the Bill of Rights written into the U.S. Constitution at the end of our Revolutionary War.

In the end, all of the delegates agreed that the momentous Charter of the United Nations should not only announce standards and purposes. It should not only describe the operation of the General Assembly, the Security Council, the World Court, and other organs of the United Nations. It should also contain a statement of affirmative duties of states in two main areas: peace and human rights.

The delegates wrote these decisions into the preamble of the UN Charter, which remains as timely as when it was written:

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED  
to save succeeding generations from the scourge of war, which twice  
in our lifetime has brought untold sorrow to mankind, and  
to reaffirm faith in fundamental human rights, in the dignity and  
worth of the human person, in the equal rights of men and  
women and of nations large and small, and  
to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practise tolerance and live together in peace with one another as good neighbours, and

to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

In Article 2, the Charter first sets forth the basic principles to which the nations agreed:

1. The organization is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.

Then the Charter proclaims rules of conduct to be followed by every nation:

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.
4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations.

This became the law.

In Article 56, all members of the UN

pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55.

These purposes include, for the first time in international law, and for the first time in the law of the United States, a commitment to promote full employment.

#### Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;
- b. solutions of international economic, social, health, and related



## 17 ♦♦ A WORKER RETURNS FROM THE WAR

♦♦James F. Wood♦♦

*World War II veteran Jim Wood has worked as a shipyard welder in the Boilermakers' Union, a classical guitarist in the Musicians Union, and as an industrial designer. In 1963, he composed "The Human Rights Cantata," based on the words of the United Nations Declaration of Human Rights. He is now retired.*

In the summer of 1945, they called us to an auditorium to hear a speech by an air force captain. I was at an air base in Indiana awaiting a discharge from the U.S. Air Force at the end of World War II. As I remember, the captain's words went something like this:

Now you men are going to be facing some big choices in your lives. You can either give up the time you have earned in the Service and get out there and face the unemployment lines, or you can stay with us and be a part of the new Strategic Air Command. Now, with the new command, we can control the skies in any part of the world. It looks like we will be at war with the Russians before long, so you will move right up in the ranks. Off we go into the wild blue yonder.

Etcetera. Well, that was the gist of it.

### **Announcing the Next War**

A short time before, General Patton had made it clear that he wanted to move against the Soviet Union right after victory in Europe, V-E Day. He was not disarming the German Nazi units that were marauding the countryside in Germany



What impelled me forward? I had to have answers. Before I was drafted, I saw the irrationality of society. I saw an abundance of products and simultaneous hunger. I saw my country stumbling and bumbling into a catastrophic war which was irrational. I saw economic dislocation in the most advanced society, and this was irrational. I saw class and race discrimination against ordinary working people and I sensed social injustice.

I had seen poverty in my own family. My parents were extremely conscientious and self-sacrificing. They did their best to take care of my sister and me at the expense of their own fulfillment. They would see that we were fed even if they went hungry in the depths of the depression.

I graduated from Oakland Technical High School in Oakland, California, in 1937. I was unable to find regular work, but I did find various menial jobs, a number of which were virtually nonpaying, such as sales work. I would sell vacuum cleaners and have the sales evaporate because of nonpayment. Then I worked for a gardener for scrip-money, which the gardener eventually cheated me out of. And I worked seasonally in canning factories.

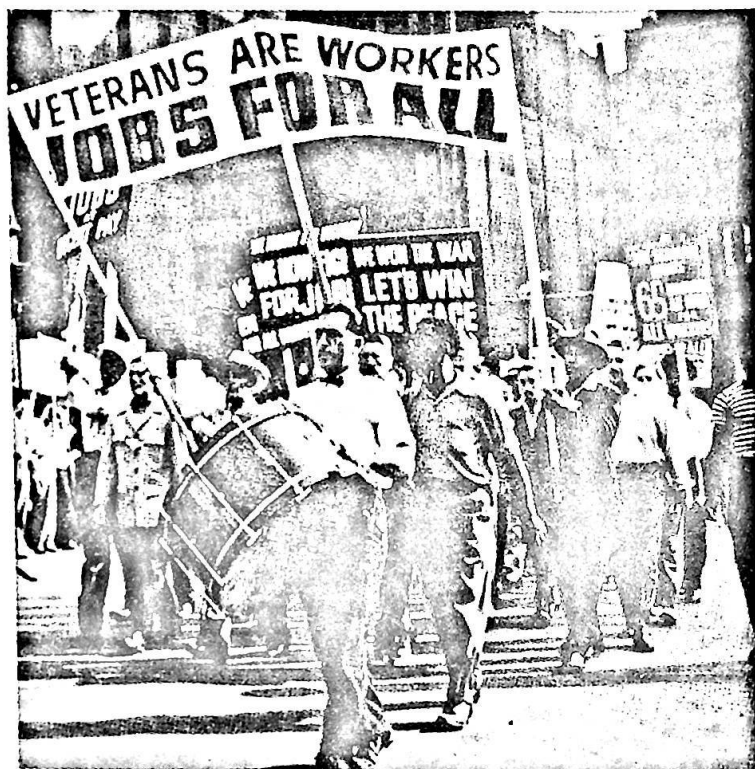
Finally, in 1939, after learning the bare rudiments of how to weld, I went to work in a shipyard building war ships, and there I learned to be a welder.

I had very sharp memories of the 1934 general strike in the Bay Area because of the killing of two longshoremen on the waterfront. My father had worked for the Southern Pacific Railroad before the depression and afterward part-time in an apricot packing plant, and my mother had worked in the canneries. Both of them had been involved in unions. I remember them marching in several Labor Day parades, and I sometimes marched along with them. So when I got a job at the Bethlehem shipyards in San Francisco in 1939, I joined the Boilermakers Union. We had a strike while I was there, and quickly won our demands.

With the outbreak of hostilities in Europe, I went through a number of stages inside my head. In the first place, I went to a union meeting at the Oakland Auditorium where Harry Bridges told us that scrap metal was being shipped from the United States to Japan and was being used to invade China. Second, I heard that certain interests in the United States were supporting Hitler. So I resolved that I would not partici-



♦♦ MARCHING FOR JOBS ♦♦



After World War II, nearly 8 million returning GI's rejoined the civilian labor force. In the first post-war year of 1946, during a slow reconversion to peacetime production, unemployment quadrupled. Veterans—members of the Fur, Leather and Machine Workers Union—took to the streets to demonstrate for jobs in 1949.

♦♦ Credit: FLM Joint Board Collection; reprinted with permission of Reinhard Schultz, The Other America Project, Berlin (West).

pate in the war. This became important because I was subject to being drafted.

With the development of Hitler's power, I came to realize that however it had come about, Hitlerism was a major threat. It was a fire that had to be put out. So I resolved that I would accept the draft; I would struggle to defeat Hitlerism, but when it was over, I would come home and continue to fight against those elements supporting him in the United States.

I was working as an inspector in the shipyards by then, so when I received my draft notice, I was offered a chance to be deferred. Based on my new decision, I turned it down.

During basic training near Madison, Wisconsin, when my platoon was struggling back to the barracks after romping around in the woods all night, the top sergeant came dashing out, yelling for us to fall in and come to attention. Whereupon he enlightened us as follows:

Now, you men look like a god damn bunch of civilians out there and the next time I see this, every last one of you bastards are going to get six weeks of latrine duty. And while I'm at it, I'll tell you something else. You f—ers are going to be in this man's army for fifteen years. Yeah, fifteen years. When we get through with Hitler and his gang, we're goin' over and kick the shit out of them Russians, so you better get your ass in shape.

Now that was in the spring of 1943. But I must add that there were other less jingoistic currents in the wind. In fact, at that same basic training camp, I joined a chorus which performed Earl Robinson's "Ballad for Americans" for the whole base. This is a song that speaks of the multinational, multicultural, and multireligious character of the democratic people of the United States, in sharp contrast to the Aryan superiority ideas of Hitler.

### **Army Talks about Fighting Fascism**

I was trained as an aircraft radio technician and sent overseas to a large air base in England for modifying combat planes.

At this point, there was a problem of the morale of the U.S. forces who were engaged in the long buildup prior to a landing on the European mainland. The Army had to instill a fighting spirit and an anti-fascist awareness in the forces about to undertake this task. For this purpose they organized the "Army Talks" program. One group in this program at my base

was the guys who were veterans of the Abraham Lincoln Brigade, who had fought in the civil war in Spain in the mid-'30s. They were in the foreground of the struggle to instill such an anti-fascist consciousness in the U.S. troops, and they did it with considerable zest.

I, with my naive politics, got into this program, listened to the discussions, ate it all up, and became a discussion leader for my group. I also espoused my own theory of economics, which was that the answer to unemployment was just to reduce the working hours so that by careful planning it would be possible to absorb all of the unemployed.

The fellows who ran the Army Talks Program listened to my simplistic political solutions and asked me a few simple questions of their own, like "Who *really* controls employment policies?" As time went on, we debated this and many other subjects.

The Army Talks Program was very interesting. It dealt with basic subjects—what it would be like when we returned to the United States after the war in terms of employment, veterans' benefits, and educational rights. But also, we dealt with why the British soldier fights, who are our allies, and what's going on in China (including descriptions from Edgar Snow's book, *Red Star over China*).

Ultimately the Talks Program talked about why the Russian soldier fights. The leaders of the program thought maybe the Communist Party in England would be best able to explain this, so they invited British CP members to come out to the base. Several carloads drove out from Manchester, where they fanned out to the various base camps and gave ringing speeches on the motivation of the Russian soldiers in the fight for their homeland, but also in the fight to maintain their economic emancipation and socialism.

All of this was very inspiring to me and to others. But, as might be imagined, more conservative elements stepped in and replaced these Army Talks leaders and sent them to distant obscure assignments far from numbers of troops. The nature of the Army Talks Program was changed considerably after that.

At our barracks, we kept a large map of Europe, and we pinpointed where the Eastern front was, the tremendous victories of the Russians at Stalingrad, and the march westward toward Germany on various sectors. We knew the immensity of the military struggle being waged in the East. And many of us felt

that, but for the Russians, there go we.

When the United States and the Western Allies did invade Western Europe and were in military difficulty at the Battle of the Bulge, a friend and I tried to enlist in the paratroopers, but we were told to go back to what we considered insignificant duties.

All this had aroused in me a feeling of the seriousness of the struggle against fascism. I was concerned with how fascism had come to power. Now that the fighting was over, I vowed that to the extent there was responsibility for this development in our own society, I would expose it, particularly those elements in the United States that had supported Hitler and profited from the arms building by Hitler and Japan.

## PUTTING THEORY INTO PRACTICE

After I was released from the Air Force, I returned to the Bay Area, where I heard an appeal by Paul Robeson over the radio to help pass a Fair Employment Practices Act in California. I answered that appeal and became deeply involved in the effort in 1946 in Oakland, California. We were circulating petitions on street corners for signatures of registered voters to qualify FEPC on the state ballot.

I had never done anything like this before, but I did get a high number of signatures from black people and some white people.

The petition was successful, but the voters did not accept FEPC in that election. However, a later petition, which I also worked on, was successful, and FEPC became and remains part of state law in California.

## 18 ♦♦ A CIO STAFFER WORKS AND DREAMS

♦♦ Len De Caux ♦♦

*During the Cold War, Len De Caux was the editor of the CIO News. Today he lives in retirement in Cedar Hill, Texas.*

*The following excerpts are from his book Labor Radical: From the Wobblies to CIO, a Personal History (Boston: Beacon Press, 1970), reprinted with permission.*

1945 was like walking on air with impossibly long dream-like strides. The war was ending. Fascism was vanquished. Ahead lay peace and good will. I felt it the more since, in 1945, I actually flew over much of the globe as an official of the Congress of Industrial Organizations based in Washington.

The year started with Roosevelt, Stalin, and Churchill planning a lasting world peace based on Big Three unity and the United Nations. On this base, the CIO joined with Allied workers to forge world labor unity.

1945 started with dreams of a world free from the hell of war and reaching for heaven. It almost seemed possible that men of good will might work together for peace, plenty, social progress, an end to ancient oppressions, that capitalism and socialism might coexist in mutually beneficial competition, that colonial peoples might freely proceed to freedom.

In May 1945 came V-E Day, the Allied victory over fascism in Europe.

In the United States, William Green, president of the American Federation of Labor, Philip Murray, president of the Congress of Industrial Organizations (and the United Steelwork-

ers of America), and Eric Johnston of the Chamber of Commerce dreamed of class peace, jointly proclaiming a lasting industrial peace based on a "practical partnership ... under a system of private competitive capitalism."

By the winter of 1945-46, industrial disputes had brought two million workers to strike at one time in January, and involved five million before 1946 was over. The biggest industries were hit—auto, steel, coal, electrical, packinghouse, oil, railroad, maritime.

What happened to the industrial peace projected by Green, Murray, and Eric Johnston?

For one thing, the National Association of Manufacturers (NAM) wasn't in on it. Regretting their wartime concessions, most employers were now out to teach labor a lesson. Big business was denouncing big labor as a public menace; and the magnitude of the strikes reinforced its demand for a government crackdown on the unions.

President Harry Truman responded with maximum use of his war powers, though the war was long over. He commandeered railroads, seized coal mines, oil refineries, and other plants, and threatened to use troops as strikebreakers. He demanded of Congress the most rigorous anti-strike measures, including a draft of strikers into the armed forces. Congress preferred to devise its own anti-union measures. Truman was bitterly denounced by labor at the time.

The government intervened in all major strikes. It made unions accept settlements it devised. The government was more gentle with employers. It tempted them to comply by giving concessions as to prices, contracts, and taxes. Wage increases uniformly led to higher profits.

A formula emerged in this period of profitable United States expansion abroad, technological advance, and a growing domestic market. It seemed to satisfy government, employers, and labor leaders alike. Big business benefited in rising profits from government planning, contracts, and labor discipline. Union leaders maintained standing with their members through regular wage increases and other improvements. Employers put up relatively little resistance because they were more than compensated by raising prices and cutting labor costs. The formula depended on constant inflation, but those who thought they were "getting theirs" didn't care; and the rest weren't organized enough to count.

Most of the labor officialdom became totally integrated into

this government-corporate setup. They went along almost automatically with the postwar neo-imperialism from which so many economic blessings seemed to flow.

After March 1946, when Churchill and Truman (at Fulton) turned Big Three unity into a two-against-one, anti-Soviet gang-up, and after Truman and Congress had shown in big strikes they'd take no nonsense from labor, union leaders knew the reins had been jerked and the whip had been cracked. It was either pull hard as bidden, or kick over the traces.

For AFL leaders the choice was easy. Anti-communism had long been their pet gimmick against rank-and-file revolt and against CIO. Now it was national policy. It meant endless, job-creating war preparations against the everlasting menace of communism.

For CIO leaders it was harder. They were committed to the Roosevelt postwar policies and to world labor unity. To preserve CIO unity, Murray, like John L. Lewis before him, had tried to steer a little to the left of center. In domestic affairs this worked well. It was easy to be left of the AFL; the workers applauded, and right as well as left unions benefited. But foreign policy was troublesome. . . . With the obedient "patriotism" inculcated by schools and mass media, CIOers followed government decisions in foreign affairs. When the left diverged too sharply, it was in trouble, and unity came hard.

For ten years, communist and left-wing unionists managed to get along with rightwingers in the CIO. Differences might be sharper, nastier, more personal, because within the American family, and family squabbles are like that. There were also times—as in early CIO and the war years—when left and right not only met but got along well. The two wings, like those of bird or plane, made possible some high flying.

Now Phil Murray was changing his course. At first cautious about antagonizing CIO's still influential leftwing, he was soon privately—even in my unsympathetic presence—referring to "those people" in disparaging, sometimes caustic terms. His feelings were evident at the Steel Workers' May convention in Atlantic City. They burst out emotionally at the September Conference of Progressives in Chicago.

**PHILIP MURRAY**

Philip Murray was a good man, in most senses of the word. He was able, conscientious, well-meaning, devoted in service to his God, his church, his country, and through labor, to his fellow man. When these services coincided, and all held him in high esteem, Murray was at his best. He was a gentleman, a scholar, a leader poised, human, kindly, gracious.

When his loyalties conflicted and he could not seem good to all—when “foul and filthy,” “diabolical,” aspersions were cast on him—Murray couldn’t take it. He was torn. He endured, but could hardly hide, an agonizing inner tug-o’-war.

The Murray image was Catholic, conventional, conformist. So was his Steel setup, despite some early concessions to Lewis and minorities. The Murray men were always the McDonalds, the Sweeneys, not the Goldenes or Ruttenbergs, and still less the Reds hired for initial organizing. Murray men—Catholic and conservative—held the key jobs and set the pattern, into which solid citizens of other faiths were also free to fit.

At the wheel of his machine, Murray could drive as he chose, provided he stuck to the road and didn't upset the machine. He could veer to right or left, or hug the center of the road. He could go into neutral and let his machine coast.

## The Purge in the CIO

In the 1945-46 winter, ostensibly unpowered by Murray, the Steel machine began getting locals to pass resolutions to deny communists the right to elective or appointive office, sometimes even to membership.

This campaign had a novel wrinkle; it was directed against "socialists," too. Most Murray men privately sneered at "pinkos" like Hillman and Reuther and their "socialist" followers, but there were other reasons. In CIO the Communists, chief opponents of the Cold War line, still had influence which Murray recognized. With "socialists" added to the maledictions, it



could be claimed they didn't damn communists as such, but as one example of "meddlers." There were also traces of a more subtle ploy.

In the United Automobile Workers Union, anticommunist Redbaiting originated not only from the Association of Catholic Trade Unionists (ACTU) and an extreme right, but also from ex-socialists like Walter Reuther and his associates—some still in the Socialist Party. Some opportunists on the left, reluctant to defend communists as such, thought it smart to retort to communist-ban proposals: "Okay, let's also include socialists then; they interfere in the union as much as the communists." In UAW this ploy might have deterred some pinkos who didn't want to proscribe themselves.

In Steel, the Murray men were happy to include "socialists." And the Steel machine had some guidance from the ACTU.

However inspired, the anti-Red resolutions were a suggestive gift for Murray when the Steelworkers gathered in Atlantic City in May 1946. He could point to the "growing demand" for a purge of the left; and in resisting it, stand out as champion of moderation and unity. To the CIO left, Murray could say: "I'm your friend, but the pressure is so great you must agree to—" To the right: "Look, boys, I'm with you. But take it easy and we'll take it. Easy does it."

Coming after press predictions of wholesale anti-Red purges in Steel and CIO, the Murray statement adopted by the convention served to tranquilize the left. It was also a first step in Murray's gradualistic approach to a complete purge.

Stressing "no purges, no witch hunts," the left hailed Murray as champion of CIO unity. It slithered over the warning to communists and socialists, noting that it too opposed outside interference. The right needed no tranquilizer; it was close enough to Murray to know the score. It interpreted the key anticommunist-socialist sentence as declaring war on the CIO left. Declared or undeclared, the war was on anyhow.

Murray was a canny man, who tried to plan ahead. A case might be made, in hindsight, for his having schemed the step-by-step progression to CIO's finally complete about-face against its radicals. Yet characteristically Murray impressed me less as a schemer than as a torn man.

*Editors' note: See section 27 for the next episode of what happened at the 1946 convention.*

# 19 ♦♦ CALIFORNIA LABOR SCHOOL

♦♦ Isobel Cerney ♦♦

*After teaching at the California Labor School (1944-55), Isobel Cerney ran for the U.S. Senate for the Independent Progressive Party, and worked on the boards of Southern Conference Education Fund and Women's International League for Peace & Freedom. Today she serves on the Pacific Yearly Meeting Ministry of the Society of Friends (Quakers) and Redwood Forest Meeting Peace Committee.*

In the winter of 1945, coming in to school early, I saw men and women in uniform sitting about or chatting with men and women in hard hats or waterfront clothes. "Is this a truly friendly place?" Dr. Holland Roberts asked me anxiously. "Tell us how to make this a real home for people." As Education Director, he had brought plants from his garden, the mother of a soldier recently killed fighting fascism had brought a big plate of cookies, and all through the five-story building at 216 Market Street people were exchanging news, telling wonderful stories of struggle. Up five flights of stairs, I found members of the San Francisco Council of Jewish Women offering bagels to waterfront workers.

The new California Labor School building was becoming a truly friendly place.

I was the new head of the English Department, and there were 75 people that first night in my class in Effective Speaking. We formed a huge circle, the ship scalers who had just come in from the dirtiest work on the docks sitting next to women in furs, clasping hands. In order to emphasize voice

color and how to use the full range of your voice, I got them chanting "Bee" in their highest voice and on down through "Bay-Bye-Bo-Bum" (lowest voice). Much laughter. Then we did one minute introductions in pairs, each partner telling why the other came to the Labor School, trying for full voice and color range.

The initial glow of unity of students from many backgrounds and ages persisted throughout the term. When we discovered that some of the workers were unemployed and others came right from work without dinner, we began to bring meatloaf and snacks and got ourselves a coffee pot, and someone set up a kitty where you paid whatever you felt like, or just ate.

### **The School in 1946**

In 1946 the California Labor School opened its doors to thousands of veterans returning to the Bay Area from World War II. It offered technical courses leading to jobs, and a chance at the college life many GIs had missed because of the Depression and the War. For the first time Congress, through the GI Bill, was making it possible for workers who had served in the Armed Forces to afford to take classes after high school.

The Labor School had applied to the California State Department of Education for approval for students to study there under the GI Bill. The application was impressive. It was signed by Dr. Holland Roberts, formerly of Stanford University. In it he described the history and policies of the School since its founding in 1942 with the support of the left-progressive labor unions in the San Francisco Bay Area. It was similar to the Sam Adams School in Boston, the Lincoln School in Chicago, the Jefferson School in New York, a labor school in Madison, a school in Seattle sponsored by the aircraft workers, the Jack Reed Labor Studies in Oregon, the Highlander Folk School in the South, and several other wartime workers' schools.

Labor education was the center post of the California Labor School program. History, economics, science, and politics were taught from the workers' viewpoint. The teachers encouraged free and full discussion on issues of the day, providing facilities for forums at which qualified speakers from varied points of view advanced their opinions before the very critical audiences of veterans and other workers.

The School welcomed every nationality, color, and religion,

"teaching friendship with all people." Roberts noted that the School was born at a time when anti-fascism was popular: "It has never altered its anti-fascist outlook," he said in 1955.

The application for the GI Bill described the School's strong cultural program, its courses in music, literature, drama, dance, writing, and the graphic arts, offered to adults turned off by high school teachers before the War who assumed they were too stupid to pass the college prep courses and should be glad to settle for vocational training.

The application cited the role of the School as official host, designated by the State Department, to the labor delegates at the 1945 founding convention of the United Nations in San Francisco. It mentioned the letter U.S. Secretary of State Edward R. Stettinius had written to the School's Director David Jenkins, on June 23, 1945, expressing "deep appreciation" for services it performed during the United Nations Conference, adding:

Such patriotic and public spirited organizations as you so ably represent have done much in making the conference a success, in helping to create a basis for a better understanding among the citizens of the United Nations.

## THE SCHOOL GETS A GOOD GRADE

The School had already been attacked by one of California's early Red-scare artists, State Senator Jack Tenney. As a result, the investigation of the Labor School by the California State Department of Education was much more thorough, searching, and critical than is customary in such cases. The Department visited the School, attended classes, talked to faculty and students.

Finally it approved the School for GI funds from the federal government, and issued the report of its investigation. It noted that the School had received contributions from the Rosenberg Foundation, RKO, the Marshall Foundation, and the Columbia Foundation, and received monthly contributions from CIO and AFL affiliates. Many locals sent endorsements of the School to the Department. "A large number of industrial and business establishments also endorsed the school ... and a number of leading educators in California.

as well as state and legislative officials, recommended the approval of the school. . . .”

The Department report mentioned that “Visitors from this office to the school have visited various classes and have been impressed with the sincerity of purpose of both students and instructors. . . . The discussion appeared to be democratic with the instructor stressing no particular point of view.”

### A Unique Cultural and Academic Environment

The California Labor School was unique in its curriculum, its diverse student body, and its talented and dedicated faculty. Its strong labor orientation set it apart from previous adult education programs. The August 23, 1946 *Labor Herald* described it as “the only progressive labor school in the nation where veterans can study under benefits of the GI Bill of Rights.” The ILWU-CIO urged members to attend:

This school offers an unique program of workers’ education, especially designed for active union members who wish to become trained, efficient union leaders. We urge you to publicize this program among the veteran members of your union and encourage brothers and sisters with leadership possibilities to take advantage of it.

About 100 students had enrolled in the California Labor School for its first term in 1942. Most of the teachers were union officials from AFL and CIO unions, but within a year this new approach to adult education attracted staff from all the local teachers’ colleges—the University of California, Stanford, San Jose Teachers’ College and Menlo Park Junior College. The student population was diverse as well. Aside from the regular academic program, cultural classes attracted housewives, social workers, doctors, lawyers, and young people studying in nearby universities. By 1944 attendance had increased to more than 800 students per semester; they could not fit into its classrooms. The school moved to a new facility on Market Street with an auditorium, an art gallery, and a library containing 50,000 books.

Courses were divided into four major departments. The first and largest was Labor Organization, offering 15-week courses with 25 hours of instruction weekly. You could study U.S. labor history, economics, effective speaking skills, collective bargain-

ing, labor journalism, and union organizing. The training was more than theoretical. Students attended actual union meetings, worked with shop stewards and got hands-on experience producing labor publications.

The Social Sciences department emphasized courses on economics, history, and contemporary politics. The goal? To provide students with an understanding of the major forces influencing local, national, and international affairs.

The Creative Writing department was geared for students headed toward the writing professions and for those desiring structured criticism and assistance with literary works in progress.

The Industrial Arts department offered practical job training for work in plastics, ceramics, furniture design, construction, photography, and graphic arts. Students worked under the guidance of established local artists and experts in the crafts.

By 1946, attendance rose to 2,600 students per semester, including those who attended the school in Oakland, headed by Gordon Williams. The most popular of the 70 classes offered had 300 students; language classes in Spanish, Russian, and French were well-attended. The school became a second home to Black people, with its emphasis on the contributions of Black people to U.S. history.

And in 1946, the President's Commission for Fair Employment Practices presented an award to CLS for its program of "making America a place where all groups can live together in harmony."

## THE SCHOOL'S LABOR THEATRE

I was the theatre director, acting teacher and janitor at the Labor School.

It wasn't that last that had drawn me to the job. It was a pair of objectives. One, to revive and continue the left-oriented tradition established in the Federal Theatre and the New York garment trades in the '30s. Two, to restore theatre to working class audiences, for before the advent of movies and TV, theatre had been a primary form of entertainment

♦♦PLAYING ON A FLATBED♦♦



Members of the California Labor School's Peoples Song Branch taking their music to people on the streets of San Francisco.

♦♦ Credit: Anne Rand Research Library, International Longshoremen's and Warehousemen's Union.





and international figures: architect Frank Lloyd Wright; Latin American labor leader Vicente Toledano [see section 23]; poet Muriel Rukeyser; journalist Eric Severeid; California Attorney General Robert Kenny; Orson Welles. At the Oakland branch Anthony Boucher, detective story expert of the *San Francisco Chronicle*, gave a course on writing technique.

In the Workshop on Public Relations, the students attended lectures on what is and what is not news, on current opinion-influencing methods and trends, on the recognition and use of propaganda. Having experienced the Big Lie techniques of Hitler and his propaganda minister Goebbels, Labor School teachers maintained that the man or woman who knows the techniques of influencing public opinion and who has put some of these techniques into practice, is prepared to understand and resist propaganda, no matter how cleverly disguised, that is put out for evil ends. At the same time, the students selected term projects, preparing and using speeches, articles, radio programs, posters, letters, exhibits, press releases and forums.

In 1946, the School offered a course in Personality in a Changing World, taught by the city's leading psychiatrists. Postwar Housing had an enrollment of 125 students, taught by nationally-famous architects and city planners. Postwar Reconversion brought together business and labor leaders—one session was taught jointly by Harry Bridges, president of the ILWU, and Adrien Falk, former president of the San Francisco Chamber of Commerce, who spoke in complete accord on the necessity of labor-management unity.

The School established the Union Service Department to assist unions and other organizations in the preparation of written material: leaflets, pamphlets, bulletins, organizational letters, and the editing of union newspapers. The department was run by a professional writer with long experience in the labor movement and an expert in layout who helped put out several outstanding pamphlets, including "Made in Berlin" and "Twelve Thousand Marine Cooks and Stewards."

By this time, over 20,000 people had attended classes and lectures, and financial support had come from such sources (how times change!) as Frank Sinatra's RKO film on tolerance, *The House I Live In*.

## "Learn From the People—Teach the People"

At the California Labor School, our working reality was *Learn from the People—Teach the People*. Some of the many lessons learned by this teacher came during informal interchanges, between classes, and late at night.

One time during the war I was sent for by Cook's Union Local #44. My understanding was that they wanted training in Parliamentary Law. Mostly grizzled, long-time unionists were sitting around the table. I plunged into elements of getting and holding the floor, points of order, etc.

They nodded and smiled and let me go on for about five minutes. Then, very kindly, one of them said: "Sister, we wuz dealing with all those things before you were born!"

"If I can't teach anybody here anything, how *can* I help?"

"Oh, now you're learning! We need an umpire, a sort of referee. We argue up, down and around about war aims and what we can expect when we and our allies WIN—and everything important about fascism. Now you just *stay* here with us and call on speakers in order and don't let anybody take over. Then sum up what you think are some of the good points we made."

They brought me back for several such sessions, teaching me a good deal of San Francisco labor history in the process. Then each of them invited me to drop in to his restaurant "for a good meal I'll cook for you. Any time. No charge."

Alas, my daytime high school classes and huge Labor School classes prevented my taking them up on this.

## Literacy

Students came to the Labor School from the heaviest fighting in Pacific jungles and the fiercest battles in Europe. Many now on the GI Bill had been sharecroppers or day laborers in the deep South before the war. Some had no formal schooling; some had had three months or three or more years in segregated Jim Crow schools.

On the first day, when David Jenkins and Holland Roberts were welcoming new students and outlining their new programs, I wandered around the auditorium. A slim very intense young Black man was furiously scribbling notes. When I looked over his shoulder, I saw that he was covering the page with ingenious signs, neither words nor shorthand. He was faking literacy. After the program, as he was leaving for his

first class, I greeted him and inquired about the stripe on his Army fatigues. He told me he was a Lieutenant, Jr. Grade.

"You must be one of the cleverest men going!" I exclaimed, grasping his hand and shaking it warmly. "Tell me: how did you become a Lieutenant without knowing how to read and write? How did you pass all those tests the Army has?"

"JG" smiled into my eyes. "Oh, I was a cook, you see, so I just rolled up my sleeves and got both hands into the flour. Then I asked the Sergeant who had the test in his hand to tell me what I sposed to do. 'You all just read the directions to me and I can make whatever the receipt says!'"

When I first entered the English Lab, I found about 20 Black men scowling, hats pulled down over their eyes, feet on the tables. I knew they would claim this class for their own when they brought their feet down. I remember I spoke with them about freedom from want and fear and fascism, and the new struggle for jobs, housing, justice, and peace. And I asked about their hopes for themselves and their children.

Did it take five minutes or ten? I don't recall, but their feet came down and they spoke to each other from their deepest selves.

And from their stories, the English Lab developed materials for their reading and writing classes. One of Holland Roberts' Stanford graduate students had developed for the Army a marvelous series of photo documentaries with captions graded for the levels and progress of students. The day we were granted the GI Bill, I wrote to the Pentagon requesting these manuals for use in our classes. No word came from the Pentagon, so we developed our own readers. (Months later the Pentagon sent a letter advising me to visit the Pentagon to examine these materials "any weekday afternoon between two and four p.m.")

## Each One Teach One

Several men and women in our GI Program had finished high school or entered college before the war. They wanted to learn to teach, so we created a seminar, along with about a dozen trade unionists and a San Francisco poet. Our goal was to prepare reading and writing lessons of compelling interest to grown anti-fascists seeking a way out of waste, war and exploitation. Dr. Roberts and I trained these "people's teachers" and sent them to docks, warehouses and union halls all over San Francisco and Oakland. Each week we exchanged teaching

experiences and discussed projects in our year-long seminar. I recall telling them that I played records when the men in my writing class got all cramped up trying to write after a day's hard work. They especially loved to hear Paul Robeson singing "Did'n My Lord deliver Daniel . . . then why not every man?"

When they were going to Sacramento to demand housing for veterans, we printed the students' furious messages on picket signs, exactly as they dictated them to us. Later, we used these signs to teach reading and spelling. They soon were able to write their own signs and messages and leaflets.

One night word went like wildfire through the School: a number of our Black veterans had been picked up as they walked near the School and were being arraigned in Night Court on vagrancy charges!

Dr. Roberts hastily sent for the most prominent and prestigious lawyer among the School's friends, Harold Sawyer, an expert in maritime law who had not been called into Night Court in years.

With fury and scorn he told the Judge: "These are our bravest and best, studying on the GI Bill at the California Labor School!"

He had me identify each man. Then he slammed his fist on the desk and shouted: "Move to dismiss any and all charges! The vagrancy law is unconstitutional!"

The judge granted his motion and we all returned to the School to celebrate one more small victory in the endless battle for dignity and equality.

## Ordering Books Under the GI Bill

At the beginning of each term, women and men on the GI Bill were given a dozen or more well-written, well-bound and printed books to own and use. Each vet got a list of several hundred available books. They would go down the list, deciding not only on their own choices, but also on books for wives and children and neighbors. Manuals on sewing, barbering, home repairs, along with photo documentaries on geography and history and basic sciences were especially popular the first term. Each term the vets got another dozen good books to add to their personal libraries: dictionaries and encyclopedias, collected works of Shakespeare, compilations of poems, songs, stories and Modern Library paperback Giants, in addition to the classics of social science recommended by the Labor School fac-



markets, cabarets, living theatre productions, concerts and theatre in the parks, "walking newspapers," writer's workshops, and a Sunday night film series. By 1948 extension classes were offered in Sacramento, Petaluma, Richmond, Martinez, Pittsburg, Redwood City and San Jose.

The cultural flowering of the school embraced every art and extended far beyond the classroom. By this time, the Graphic Arts Workshop had developed out of the School's Art Department, coming to include Victor Arnautoff, Bianca Barnes, Virginia Bogue, Herman Bolz, Frank Ciecorka, Richard Correll, Pele de Lappe, Adelyne Cross Ericksson, Harold Fontaine, Irving Fromer, Louise Gilbert, Bits Hayden, Stanley Koppel, Phiz Mezey, Gordon Mostellar, Emmy Lou Packard, Steve Parun, Giacomo Patri, Byron Randall, Frank Rowe, Avrum Rubenstein, Lewis Suzuki, Francine Tyler, and Lawrence Yamamoto.

In November 1951, Leo Christiansen conducted the world premiere in English of the Dmitri Shostakovich cantata, "Song of the Forest: Dawn of the Age of Peace" in celebration of American-Soviet Friendship Week. A member of the Graphic Arts Workshop painted the backdrop.

The Workshop also provided the drawings for the pithy magazine put out by the School's Writers' Workshop. And when Malvina Reynolds published the first of her songs in 1954, the California Labor School was the publisher and "Song in My Pocket" was illustrated by Graphic Arts Workshop artists.

Of course there were endless fund raisers, and every event, small or large, brought people together in new relationships. And among these relationships was many a romance!

## **The Heritage of the Labor School**

Just before World War II, courses in Marxism as the science of society were well attended at the Jefferson School in New York, and the other labor schools around the country.

Teachers and students in these schools were keenly aware of the imperative for unity among very diverse sectors of the people in order to defeat reaction at home and fascism and colonialism in Europe and Asia. To advance the general welfare while striving for equality, peace and progress for *all* humankind was then, as now, the lode-star for everyone but fascists.

These labor schools drew students throughout the war years, and blossomed when the worker-soldiers returned to take up their lives as veterans in the shops and offices. For the attack

♦♦CAST OF CHARACTERS♦♦



Teachers and students from the California Labor School, starting in the foreground, from left to right, bottom to top: David Jenkins, Harry Williams, Jules Carson, Irwin Elber, Andrew Zirpoli, Hazel Grossman, Holland Roberts, Celeste Strack, Everett Altman, Peggy Sarasohn, Gilbert Daunic, George Hitchcock, Genevieve Blue, Ernestine Gatewood, Herman Griffin, Ruth Shulemowitz, Leo Christiansen, David Sarvis, Winifred Sarvis, Leo Nitzberg, Gordon Williams, Mimi Kagan, Adeline Cross Erickson, Lili Ann Killen, Victor Arnautoff, Gordon Mosteller, Bill Rubenstein, and Pele Edises [de Lappe].

♦♦ Credit: Pele de Lappe.

on labor's rights to succeed, these schools had to be locked up.

Walt Whitman's words are central to assessing the achievement and the heritage created by all of these schools, including the California Labor School:

One's self I sing, a simple separate person,  
Yet utter the word Democratic, the word En-Masse.

Another, informal assessment emerges from a small fact: five families of veterans named a son "Holland" after the gentle, deeply scholarly, plain and simple educator Holland Roberts. He made a solemn vow "to keep the Labor School going, even if it becomes a frozen alive root in the ground." The real record of the School's success emerges from other facts. Consider: Miranda and Lincoln Bergman came out of the Youth Art Workshop, founded by Frank Rowe and continued by Irving Fromer out of the Graphic Arts Workshop started in the California Labor School. Miranda Bergman, in her turn, helped set up the La Raza Silk-Screen Project and went on to paint some of the powerful murals that revolutionize the walls of the Haight-Ashbury and Mission communities of San Francisco. Her brother, Lincoln, uses as the title of his radio program: "Freedom Is a Constant Struggle," continuing the inspiration of the Workshop and the Labor School into the 1980s. And consider the Bread and Roses Bookstore in San Jose, founded by Barbara Stern and Bob Lindsay, who met and married at the California Labor School.

Today, more than ever in our history, we are in need of this new type of community center and people's school, where freedom of speech, press, assembly, art, and religion are vigorously practiced. There new networks will meet. Coalitions to save the land and the people from racism, unemployment and war will learn from each other and from experts new ways to greater freedom and real peace in a disarmed world.

And mention of the Labor School will continue to cause faces to light up at meetings of Seniors, Gray Panthers and Union Retirees, up and down the West Coast and Hawaii.

*Editors' note: The attack on the California Labor School and its response, is described in section 69.*



## 20 ♦♦ THE UNION WAS LIKE A FAMILY

♦♦ Bob Martin ♦♦

*Bob Martin was Gulf Coordinator for the National Maritime Union-CIO and one of the organizers for the Progressive Party during the Cold War. Today he is secretary of the Federation of Retired Union Members of Alameda County and president of Region 3 of the California Council of Senior Citizens.*

*This is an excerpt from an oral history.*

### My Introduction to Organizing

During and after World War II, the National Maritime Union-CIO had a well-organized shore side apparatus set up in port so that if a seaman was out to sea, his family had some place to go if they needed help of any kind, or social services. And they had what they called "the Women's Auxiliary," which played a very important role, especially for the seaman out at sea. I knew of a case where a seaman had five children, and while he was out to sea, they found that his children had all been exposed to tuberculosis. So here was a question of uprooting the whole family, a Puerto Rican family, getting them to some place where they could be taken care of, and at the same time, getting in contact with that seaman and letting him know what was going on with his family, and that they were being taken care of.

Well, this kind of help was pretty great for the emotional well-being of the seaman.

Then they also had a real effort to try to develop leadership

among the wives and children of the union members. They had leadership schools in port; when the seaman was in port, he could sign up for classes. Two of the people running the classes were Charlie Kiviat, and Carl Sanjines in New York, and also Danny Boanno. The reason I knew them was because, when I got off the ship in New York in 1945, I decided to go to leadership class. In fact, that is how I wound up in the organizing group.

When I went in to sign up, they needed somebody to take some literature down to the docks in Brooklyn, so they told me, "There isn't any class right now, but this is a good part of it, right? Here is some literature. How about taking it down and talking to the guys?"

So not only was that the way I started to learn my way around New York on the docks, but I also started learning about the union, and that was the way I got my leadership education—on board with somebody, covering ships.

They had a nice class set-up there, a nice big library, and they did a good job teaching young seaman how to conduct meetings on board ship, how to discuss their problems on board ship, and the function of the union: discuss it, draw up resolutions, and send them back to the union headquarters for action.

You had a voice in what was going on in the union while you were over in Timbuktu someplace. You didn't feel like you were out of what was going on back in the union, because if something was a hot issue, you wrote a telegram, and you made sure it got back there for the next meeting. Hell, you never felt that you were not a part of what was going on back home, and with the education committees, leadership schools, libraries, the social services, and the Women's Auxiliary, you felt like a family, really.

That's why they wanted to break it up during the Cold War.

## **The National Maritime Union in New Orleans**

I went down to New Orleans in February, 1946 as the Gulf coordinator and organizer for the NMU-CIO. My responsibility was mainly to organize the Isthmian Steamship Company. We were organizing and getting signatures to file for an NLRB election, so I had to go from New Orleans to Mobile, Alabama; Savannah, Georgia; Pensacola, Florida; and over to Houston and Galveston, Texas. I had the listings where ships would

come in and when, and I would either go there to cover the ships or have somebody from the union hall in that port distribute literature to the men, get pledge cards signed and sign them up in the union when possible.

My experience in organizing in Philadelphia and New York was tough enough, but when I was transferred to New Orleans I found it much more difficult to get around the Company guards to get aboard ship to talk to the seamen and give them literature. I also found right collusion between the Seafarer's International Union and the Isthmian Steamship Company. The SIU was our opposition in this organizing campaign.

The SIU was part of the SUP/SIU maritime unions. They acted with the Isthmian Steamship Company to keep the National Maritime Union off the ships. Their whole line was that if you voted for the NMU, you'd have to sail aboard integrated ships, because in the NMU we had a nondiscrimination policy. Black seamen sailed with white seamen in all the departments: deck, engineering, and stewards. In the SIU, only whites sailed in the deck and engine departments. All others sailed in the stewards department.

### **The Political Stance of the Unions on the Waterfront**

The SIU used redbaiting and the NMU's nondiscrimination policy as their main propaganda against us. They used the old red herring to cover up the lack of democracy in their own union.

There were lots of Communists in the Union, including myself. The fact is, I would say one of the reasons why you had organizers who were willing to organize white and black workers in the South was because of their political understanding.

That was a pretty tough period for the CIO. One of the main issues they used against us was the no-discrimination policy of the CIO. This was about the only place in the South where black and white workers got together to discuss issues, make decisions, and elect their union representatives.

In New Orleans, the unions we had on the waterfront were the ILA-AFL-Longshoremen and SIU-AFL-Seamen, the NMU-CIO seamen and ILWU-CIO Warehouse union. We also had some smaller unions, the Marine Engineers (MEBA-MMP) and Marine Firemen (MFOWW). The ILA longshoremen loaded and unloaded the ships. They had two separate locals, a black and a white local. The white longshoremen shaped up for jobs

on one side of Canal Street, and the black longshoremen shaped up on the other side of the street. The best jobs went to the white, and the tough, dirty jobs that were left over went to the black longshoremen.

The ILWU-CIO represented warehouse workers. This local was made up almost entirely of black workers headed by President Andrew Nelson, a hard working progressive union leader. The Marine Cooks and Stewards (MC&S) had a mixed membership with progressive leadership. The NMU had a mixed membership and a mixed leadership, both in color and politically.

One of the Teamster locals had a black membership, which was led by President Ray Tilman. They took a progressive role in community and local politics, and supported our May Day marches.

We used phoney passes to get on the ships, and we used many different ways to get by the guards. But if you were black, there was no way to pull that kind of stuff to get aboard ship to talk to the seamen.

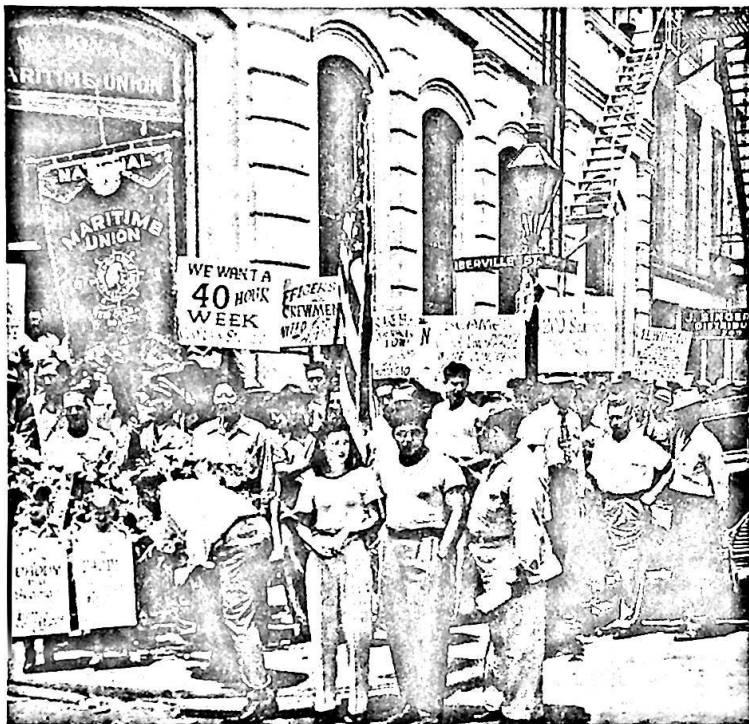
We discussed the issues with them, and we showed them what black and white unity in the National Maritime Union had done to our wages and our conditions. After you were able to talk to them, and show them what democracy meant inside the union, you were able to win many of them over. We would take them to the NMU hall in New Orleans, and there you would have black and white members who had registered for jobs. Their cards were stamped when they registered, and when a job came up on the board, the dispatcher called out the job, and their cards were thrown in. The dispatcher looked at the date, not at whether they were black or white. They looked at the date and time, and whoever had the oldest card got the job.

We also had black leadership in New York. The national secretary for our union was Ferdinand Smith. One vice president was Josh Lawrence. We had black leadership throughout the Union—West Coast, East Coast, and in the South.

### **Getting a Contract Out of Texas Oil Company, October 1946**

We had the Texas Oil Company tankers, which had been organized through an NLRB election back in '44 or '45. They had never signed a contract with the NMU. They just kept refusing

♦♦ MARCHING ON MAY DAY ♦♦



Maritime workers from the Gulf Coast await the start of the 1946 May Day parade in New Orleans.

♦♦ Credit: de Sylva; from the collection of Bob Martin.

to negotiate. So I was sent over to Texas to see what I could do about making some contacts and evaluate the situation.

These tankers usually had a crew of around 42 or 45 men. They would be gone maybe a month. Usually the shipping was coast-wise, going to New York, New Jersey, and back to Port Arthur, Texas.

When I went to Port Arthur, I found one or two tankers in port, and several were coming in. I did some research work through the file cards, and found out certain contacts we had had on these tankers, and I tried to contact them. I found a few of them were still on board, but it wasn't a very good list. Anyway, a couple of these tankers came in, and there were a couple of contacts on this one tanker. They seemed enthused about trying to do something to get these ships a contract.

The Oil Workers Union never did get a closed shop agreement with Texas Oil Company. I had established contact with them, but they were not too helpful in committing themselves as to how far they would go to support us if we did have a strike, because they didn't know how much control they had over their membership. They were not all members of the union; their members were not very active, and they just wouldn't promise anything.

The Texas Oil Company had a personnel man at the docks, and I mean going into the Texas Oil Company docks was probably more difficult than getting into NASA today! The first gate was about a mile from the plant, and at that gate, you had to show a pass. Then you would go onto the docks where there was another place you had to be screened again. The personnel man down at the docks was in a rambling shack. They called him "Two Gun" Smith, and I mean the guy actually wore two guns on his hip. When you went in there to get a job, you had to ask him, because he was the personnel director.

He asked you what the hell your life history was about, and he screened you before you went any further.

After a couple of these tankers had come in and out, I knew a couple more were coming in on which we had some contacts. I went to a printer out of town and got some leaflets made up, and signs printed. I explained why the Texas Oil Company tankers were going on strike. I had everything in the back of my car. I didn't take it up with our union at that time because I wanted to wait and see what support I had from the ships.

When this tanker came in, I got ahold of a couple of guys as a lot of them were leaving the tanker. They agreed to stick

around and help with the picket line. I figured that was as good a time as any to find out what we could do.

I went to the union hall, called a special meeting of the Port Arthur, Texas local, and I explained to the members of the Union the fact that we had won the election with Texas Oil Company for several years, and that they never even agreed to negotiate, let alone sign the contract. We had to take this kind of job action in order to get them to sign the contract, and this meant a lot of jobs for the NMU.

When we put the picket line out there, and we started to put pressure on the guys to get them off the ship, boy, "Two Gun" Smith was screaming, "You're going to be shipping with niggers if you join the NMU! You're going to be doing this or that!" He was really furious.

We put out one leaflet just concerning him, and telling him that part of the negotiations were going to be that he no longer be the personnel man, that we wouldn't go to him for a job. We were going to fire him before we sign a contract.

We had a very good response from the seamen that got off of those ships who were not union members. They would come off, and we did not even want them to go to the ship to get their gear. We set up cots at the Union hall and we had people in town give them rooms to stay in. We had places in town that were hotels, motels—it was a good union town. In Port Arthur, Texas, these people really turned up.

We set the picket line up, and the buses came down to bring the oil workers to change shifts.

Well, hell, we had a picket line there.

The bus drivers were union, and they were not going to go across the picket line. It's a mile from there until you get into the next gate. The people weren't going to walk down, right? So the bus just turned around and took the people back up to the Union hall.

Well, the Oil Workers Union leaders came down there in a hurry and they told me, "If you don't get that picket line out of here, we're going to push you guys right into the river."

I told them, "Wait a minute. It's a legitimate strike, and here is a leaflet." And I said, "Look, let's not discuss it here on the picket line. I'll meet you back in the NMU office in about an hour, and we can sit and have a meeting."

I was trying to come up with something that I could do to get their support, or at least not have them as enemies.

I had an idea that might work.

## NMU Gives Oil Workers a Closed Shop

The next busload that came, I told the bus driver not to turn around and go back. I said, "Stay here, and anybody who has a union card, if you agree to make sure there are no seamen on that tanker down there, and that you don't load or unload any of these tankers—you do your own work, but don't load any of our tankers that are on strike—you do that and our union members will let you go through. Anybody who is not a member of the union, get off the bus, and when the bus goes back, we'll pick you up and take you to the Union hall." If they joined the Union, they could go to work.

Jeez, before I got back to our Union, the Oil Workers Union officials found out what we were doing. I was getting them a closed shop!

I went up to our Union hall to have the meeting. I mean, we had taxi cabs all lined up to take our pickets from the Union hall to the picket line. We had food organized. The restaurants around the town would give us chits for the seamen on strike so they could go down and get their meals.

After that we had full support from the Oil Workers Union there in Port Arthur, and they got a closed shop in the deal. They promised us that no work would be done on any of those ships while we were striking, and they would work in the refinery and that would be it. If we needed any more support, they would be glad to keep them out.

Then I called New York and told them we were on strike.

It wasn't long before Howard McKenzie called, and he wanted to know if it was voted on, if it was approved by everybody. He wanted to make sure that it was legally kosher. He was one of the vice presidents.

I assured him that it was.

Joe Curran got on the phone and wanted to know who in the hell authorized me to pull them out on strike.

I told him, "Look, these guys walked off the ship. I didn't pull them off; they walked off themselves. They said they have been trying to negotiate a contract for several years, and they haven't got one signed, so they feel a little job action is necessary. Right now we are involved in the job action. We've got the ships shut down, and the Company should be contacting you pretty soon for negotiations."

He says, "You sure you can hold it? If you don't, boy, it's your ass."



I then assured him we could hold it.

The negotiations took place in New York.

The next day the SIU started bringing bus loads of their seamen from New Orleans, Houston, and Philadelphia for the purpose of breaking our strike. They brought in Gibbs, a professional gunman (who later was arrested for shooting on the picket line).

We had a couple of seamen come into the Union hall and tell us, "Look, the SIU has a couple of busloads out there on the picket line, and they are taking over the picket line."

We got a number of seamen from our union hall on a bus, and took off. When we got out there, I walked up to one of the guys who was pretty notorious in the NMU many years before, McQuiston was his name. (When one of our NMU port agents in New Orleans was killed, this guy McQuiston was involved in that action. He was driven out of that port at that time. He stayed in the background but surfaced at this time with others. In other words, he was a goon organizer for the SIU and the SUP.) There was him, and several others from the SIU, such as Whitey Hall, who was N.O. port agent, and "Wild Turk."

So I walked up to one of them, there, and I took his sign and tore it up. The sign read,

#### SEAMEN BLACKJACKED INTO NMU CONTRACT

They were hoping to get all their forces there before the contract was signed, and try to break up the strike. But by the time they had got there, the Texas Oil Company had already signed the contract with the NMU in New York.

The SIU was going to go ahead and put up a picket line. In fact, they had big signs made up, and hoped they would get the support of the tanker seamen to challenge our contract. Some signs said:

#### THE NATIONAL MARITIME UNION BLACKJACKS THE STANDARD OIL COMPANY SEAMEN

Others said:

#### STALIN TACTICS OF THE NMU

They put out all redbaiting and Negro-baiting and that sort of signs and leaflets. But they failed to get support from the seamen on strike.

Anyway, we broke up that picket line.

This was a couple miles out of town. We rounded up every-

body that was down on the railroad track. They had some of their members hiding in the grass and along the railroad tracks. We didn't go back in the bus. We fought all the way down into town. I sort of got clobbered that time. A guy hit me with a plank, and another guy hit me. One of our guys got shot, not seriously, but they shot into the road, and the bullet ricocheted and one hit him in the back, and another guy was hit in the leg. Neither one was serious, but they didn't know really how serious it was. There were some company cars coming through there about that time. They were stopped and everybody got out. But anyway, we wound up back in town, and they went to their Union hall and we went to ours.

Next thing we knew, they were putting out a leaflet in town calling a meeting of all Texas tanker seamen.

I got ahold of a leaflet. So I called a meeting at our Union hall, and I got everybody together and told them: "There's a meeting called up at Elks Hall to discuss the Texas Oil seamen, and that's our contract, so they must mean us. I am going to recess this meeting. We're going to march up to that meeting, and we're going to call our meeting back to order again."

So that's what we did. We marched up there, and marched in.

The SIU guys were all in the hall there, and we marched in, filling up the seats.

Two o'clock came, and it was time for the meeting.

I got up and said, "Okay, it's two o'clock, and it's time for this meeting to come to order. First thing on the agenda is we elect a chairman."

Somebody nominated me for chairman; somebody seconded it, and I said, "The meeting was called to discuss the Texas Oil seamen." I started to explain to them exactly how the Texas Oil seamen had voted to go into the National Maritime Union two years ago. They were never able to get a contract out of them, and during the war the policy was not to put too much pressure on the company. But the war was over and it was time that we got down to brass tacks and negotiated a contract. And that's what we did.

At this time, the SIU members jumped up, and they yelled, "God, I hear the Commies are taking over." They then left.

Well, after they left, I asked if there were any more questions about why we did what we did, and what we were doing.

Nobody else had any questions there, so I said, "Okay, let's go up to the SIU Hall and see if they have any questions."

So we marched up to the SIU Hall.

When they saw us coming, they put a desk up in front of the door, and old McQuiston was sitting back there with his two pistols waiting for us to come up to the door.

When we came up to the door, we started explaining to the seamen back there what the hell happened, shouting over them. And after we were finished, we turned around and we left. They threatened us.

When things were real hot, after we had that fight with McQuiston and the SIU, I called New York to tell them what was going on. I felt that it would be good if somebody from the National office also came down to the port because we had a situation where Curran was also creating some disruption in the different ports and undermining the situation that was going on.

One of the Oil Workers Union officials happened to be with our group, and he saw the guy with the guns. Of course, the oil workers were part of the community there, and they called up a local sheriff, and they told him what was going on there in the SIU hall, that these guys were pushing guns all around.

So the sheriff's men came down, went through the place and cleaned the guns out.

But then the Texas Rangers were called in. The Texas Rangers decided they were going to put their barricades out there at the Texas Oil Company and protect the Company. They wouldn't leave any of the union organizers to go down.

We kept a vigil out there at the gate to make sure after they did sign the contract, that the people coming back on the tankers were coming from the NMU Hall, and that the Company had called our Union hall for replacements.

One of the first guys that took the job was a black seaman. Hell, there had never been a black seaman on a Texas Oil tanker before. We knew there was going to be trouble.

We got a group together and decided now it was time to get "Two Gun" Smith out of there. We called up the company, and we told them that one thing we would not tolerate, that is sending people down there to be questioned by that character with guns on his hip. (We didn't know if it was written down in black and white in the contract.) We wanted somebody down there who was a personnel man and not a gunman, and then we will send you a crew as you need them. Otherwise you'll just have to sit down there and wait.

The company transferred Smith to something else, and they

had somebody else take over the desk there, signing the people up on their jobs and putting them on the tankers.

So Josh Lawrence and Tony Lucio came down. Josh was a black vice president of the NMU, and Tony was a field patrolman assigned to go down with Josh to Port Arthur to help get the seamen back on the ships, get the port straightened out, and get things back to normal. So Josh came down, and we called a press conference with the local press and with the Oil Workers. Josh met with the other CIO unions in the port. He played a good and heroic role in helping us get that situation straightened out.

I will tell you, we had very few problems with the integration of those ships, because the Texas Oil seamen were involved in the picket line and the struggle that was taking place there; they became pretty familiar with the black and white seamen working together and had first-hand experience of them working together on the picket line, transportation committee, housing committee, and things like that—helping each other out. So when they got back on the ships, it worked out pretty well. There were some rednecks, you know, that still wanted to keep status quo, and they bitched around about it. But we had very little trouble with it. We enforced our contract and also enforced the no discrimination clause in our union constitution.

*Editors' note: For later episodes in Bob Martin's life during the Cold War, see sections 34 and 53.*

## 21 ♦♦ OPERATION DIXIE

### AFL AND CIO DRIVES IN THE SOUTH

♦♦ Philip Foner ♦♦

*Philip Foner, PhD, is one of the best known U.S. labor historians in the country. He has recently been the Independence Foundation Professor at Lincoln University, and has taught and lectured at universities around the world. He has written 50 books dealing with Black, American, and labor history.*

The AF of L and the CIO launched competing campaigns after World War II to organize workers in the South.

The AF of L opened its drive in May, 1946, by attacking the CIO as "Communist-dominated." President William Green openly appealed to Southern industrialists to recognize AF of L unions, to urge their workers to join the AF of L, and, in general, to cooperate with the federation "or fight for your life against Communist forces."<sup>1</sup> George Meany declared that Southern workers faced a choice between the AF of L, which followed "the principle that you cannot be a good union man unless you are first a good American," and "an organization that has openly followed the Communist line and is following that line today."<sup>2</sup>

#### Early CIO Policy

The AF of L had been voicing such charges since the CIO was born in 1935 as the Committee for Industrial Organization and set out to organize the unorganized.

In the same depression year, the National Negro Congress

was organized by the left, including Communists, to strengthen the previous struggles against unemployment, for unemployment insurance, for work projects, and against Jim Crow in general. The National Negro Congress would also work for the organization of Black workers, and for equal rights in general, specifically for the rights of Blacks in unions.

Many traditional Black leaders remained neutral to the new CIO, awaiting proof of the new movement's egalitarian policy. Others joined in the Red scare against the CIO. In time, actions and words both spoke loudly to Black workers in the north, including Black steel workers.

Black leaders Horace R. Cayton and George S. Mitchell reported the words of the white president of a Steel Workers Organizing Committee women's auxiliary during the CIO campaign to organize steel: "The Communists think a Negro is just the same as they are. They are very strong for that sort of stuff." When published, this comment further increased the prestige of Communist organizers for the CIO.<sup>3</sup>

After the new unions were established, the Communists and their left-wing allies fought to make certain that the principles of equality espoused by the CIO in organizing drives were put into effect.

Communists ... were unquestionably a force for equalitarianism in the CIO. By raising the race issue to gain Negro support, the Communists forced white leaders to pay more attention to racial problems.

F. Ray Marshall,  
Secretary of Labor under  
President Jimmy Carter<sup>4</sup>

During World War II, the CIO established a national Committee to Abolish Racial Discrimination. James Carey, its white chairman, and Willard Townsend and George L. P. Weaver, its Black members, were all vigorous anti-Communists and the committee "functioned in part as an organization to fight Communists in other organizations and in the Black community."<sup>5</sup> Even so, leaders of several CIO unions red baited this CIO Committee, because they assumed a close association between any fight against racial discrimination and "Communists." This gave them an excuse to oppose the committee, or at best to give it only token support.

Anti-Communism really began to flourish in the CIO once World War II was over. The tide of anti-Communist hysteria, held in check during the war, mounted under the impetus of

the cold war policies of the Truman Administration.

In the past, the CIO fought this line. In most cases, it succeeded in convincing unorganized workers that to swallow anti-Communism was to play into the hands of the bosses.

This time the approach was different.

## Organizing Blacks Without Reds

The CIO threw tremendous resources into the Southern organizing campaign in 1946. President Philip Murray declared that it was "the most important drive of its kind ever undertaken by any labor organization in the history of this country." But how did it conduct this drive? Did it follow its earlier organizing style, using the alliance of center-left forces that made possible its great victories of the 1930s and early 1940s?

Not at all. The CIO made it a practice from the outset of Operation Dixie to eliminate all Communists and Communist sympathizers from any connection with the drive. Murray named as director of the drive Alfred Van Bittner of the Steelworkers Union, whom the business magazine *Fortune* called a "leading CIO rightwinger." Van Bittner announced at the outset that no Communists would participate in the campaign. He filled most of the organizing staff positions with implacable anti-Communists. He rejected offers from international unions associated with the left to send experienced organizers, Black and white, to aid in the drive. Finally, he turned down volunteers from any organization with a left-wing tinge, depriving the campaign of forces that had been crucial in the earlier CIO organizing drives.

The CIO rejected organizers from unions with a record of struggle for equal rights for Blacks. It even refused to employ Miranda Smith, the dynamic Black leader of United Tobacco Workers Local 22 of the Food, Tobacco, Agricultural, and Allied Workers Union (FTA), because she was a Communist.

The CIO leadership took these actions in part as a defensive reaction to the AF of L and employer charges that the CIO was made up of "Communists." But anti-Communist forces in the CIO immediately exploited the Southern organizing campaign to eliminate Communists and their allies from the movement. The absence of the dedicated and tireless organizers of the left who had contributed to so many previous drives was particularly apparent in attempts to reach Black workers in the South.

To be sure, Communists in 1946 had somewhat less influence among Black workers than they had had ten years before. This was a result of their tendency to play down all grievances during World War II, including grievances of Black workers, lest the struggle to remedy them might interfere with the number one job of defeating fascism. But Communist and left influence, particularly in the CIO unions, was still considerable.

The CIO's generally more favorable record on equal rights stood it in good stead among Black workers in the early stages of the Southern organizing campaign. In the Masonite Corporation at Laurel, Mississippi, for example, the vote of Black workers made the difference between victory and defeat in an NLRB election in competition with the AF of L. Thereafter the CIO rested on its reputation with Blacks.

The AF of L, however, stung by its early defeats, began to pay special attention to Black workers—at least on the surface. For example, it hired 17 Black organizers and declared itself for “equal employment opportunities for the Negro worker and full participation in American Federation of Labor Unionism.” At its 1946 convention, however, resolutions introduced to end the system of Jim Crow auxiliary locals in the Federation were defeated, revealing how little that posture actually meant.

The AF of L relied heavily on the anti-Communist theme in its appeal to Black workers. But its major stress was that it could do more for the Black worker than the CIO. It issued a pamphlet, *Pie in the Sky*, and circulated it widely among Black workers during the Southern campaign. The pamphlet concluded: “The A.F. of L. offers you results now—not hot-air promises of pie in the sky by-and-by.” Using the words of legendary Joe Hill's famous Wobbly song shows that the AF of L was not afraid of a radical association in its appeal to Blacks—so long as that radical association wasn't a contemporary one.

The CIO could have countered the pamphlet by telling Black workers what had been accomplished for Black members of CIO unions. But the most persuasive exponents of this argument were Communists and left-wingers, and the CIO went to great pains to erase the impression that Communists exerted any influence in the organization.

Neither the AF of L nor the CIO, for all the resources they threw into the drive, accomplished what they had hoped for in the Southern campaign. The AF of L aimed at enrolling a million new members. By July 31, 1947, they reported new enrollment of 425,000. Then they quit. The Taft-Hartley law passed



by Congress in June, 1947, "right-to-work" laws passed in several Southern states, and other anti-labor legislation made "a continued successful drive" impossible.<sup>6</sup>

The CIO had even less to report in membership growth. It claimed 400,000 Southern workers organized by January, 1948. The CIO professed to be determined to continue the Southern drive "regardless of how long it takes."<sup>7</sup> But after 1946, the most bitter attacks launched by the CIO leadership were against left-led unions, not against Jim Crow in the South.

*Editors' note: See section 75 on Effects of Union McCarthyism on Black Workers also by Philip Foner.*

## WHAT HAPPENED IN MEMPHIS

♦♦Michael Honey♦♦

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Workers poured into Memphis during World War II, and into Memphis locals of CIO unions. By the end of the war, the Memphis CIO Council boasted about 20,000 permanent members. Black workers played a powerful role within this industrial labor movement.

Even the head of the city's political machine, "Boss" Ed Crump, accepted the CIO as a fact of life. When International Harvester established a huge new plant in Memphis in 1947, he made no effort to stop unionization, and a major local of the UAW quickly established itself.

These simple facts and figures have a long and bloody history that cannot be recounted here.

For a brief period in 1946 and early 1947, the upsurge of working class militancy and pent-up demand for wage increases and better working conditions carried the southern CIO forward rapidly. In the first year and a half of Operation Dixie, FTA became one of the leaders in the southern drive, winning 111 elections covering 15,000 workers. By January 1948, FTA's Mississippi Delta Council, to which Memphis Local 19 belonged, covered 94 plants with 17 locals, including nearly 10,000 workers at the peak of the harvest and canning season.

During this period of conversion to peacetime production,

the CIO also lost many of its members as war industries closed down.

Soon the progress in organizing black and poor white workers came under sharp attack. Then a new Red Scare gave segregationists the weapon they needed to turn back interracial organizing and black militancy in the South.

## Black Workers Face the Postwar War

You had to act like the white man, any white man, was your boss. You couldn't talk back or treat him as an equal. They would rush at you and curse you. Even shed clerks were considered bosses, because they were white. Earl Fisher confronted them with the fact that they were workers, not bosses, and were covered by the contract too.

Leroy Boyd, Local 19, FTA-CIO

Leroy Boyd, a black World War II veteran, went to work at Federal Compress company in Memphis in 1946. He was only 21 years old. But like other black war veterans, he expected more when he came home from overseas than the old Jim Crow segregation system the South offered him. And like many other black workers in the cotton industry, he turned to Local 19 of the Food, Tobacco and Agricultural Workers union (FTA-CIO) to resist Jim Crow.

Earl Fisher, chief shop steward and the main organizer of the union at Federal Compress, provided hope for change. Fisher, a 38-year old black man from Dublin, Mississippi, was outspoken in his views, even hot-headed. Under his leadership, the union resisted all efforts of the cotton compressing company to treat blacks as menial laborers.

"We started out by carrying out a number of work stoppages, just to let them know we had a union," Boyd related many years later. "Every time we had to work overtime without pay, we'd just walk out. As a result, Earl and six others got fired. We didn't know it, but the struggle really began when Earl took up the first grievance," said Boyd.

Grievances included wages averaging 50 cents an hour; supervisors who patted black women on their rear ends; lack of time to go to the bathroom; and abrupt firings for taking up grievances. Company bosses included whites who came from Mississippi plantations, ex-cops and prison guards. They treated black workers much like plantation laborers and prisoners.

Boyd remembered how one supervisor pulled a gun on a

worker for "insubordination." The workers refused to work any longer unless the company fired him. Instead, the company made him a clerk, but the workers considered this a victory for the union nonetheless.

The workers also got Fisher and the others their jobs back. Through a series of brief strikes, they also got wage increases. They eventually succeeded in phasing out the racist white supervisors and getting time to go to the bathroom.

"When we had a grievance," said Boyd,

we would walk out, even if the contract did not allow it. We'd keep a few stewards working, to stay legally within the contract. Meanwhile, the union reps would take their time getting there. Pretty soon, the company discovered it was easier to settle the grievance on the spot. We discovered that if everybody went out together and stayed together, we couldn't be beaten. They couldn't fire all of us. That changed our whole thinking.

Local 19 was also trying to change the thinking of the Memphis CIO. The Local reaffirmed its commitment to fight for black equality in the city labor body. It had built a core of black shop leaders during the war, and augmented this core with black veterans after the war. The Local's black secretary, Almyra Bartlett, ran much of the union's day-to-day affairs. The local's white business agent, Karl Korstad, and black president, John Mack Dyson, tried to start a chapter of the National Negro Congress.

In response, the Memphis CIO director (ironically named "Red" Copeland) began badgering the state CIO Director about the Local's insistence on black equality. Copeland charged that Local 19 only wanted to unionize black workers and cared nothing for white workers. He complained about the black secretary because she would meet the public. He attacked the National Negro Congress as a "communist front." And he tried to insure that Memphis CIO union leadership remained solidly in the hands of whites, regardless of the degree of black membership in the various unions.

Neither Copeland nor any other white labor leader could really control Local 19, however. There were too many Leroy Boyds and Earl Fishers in the membership and leadership.

*Editors' note: In section 79, Michael Honey describes union developments in "Memphis: from Union Hall to City Hall."*

## NOTES

1. F. Ray Marshall, *Labor in the South* (Cambridge, MA: Harvard University Press, 1967), p. 254.
2. *Ibid.*
3. Horace R. Clayton and George S. Mitchell, *Black Workers & the New Unions* (Chapel Hill, NC: University of North Carolina Press, 1939), p. 221.
4. Marshall, *The Negro and Organized Labor* (John Wiley, 1965), p. 36.
5. Marshall, "Unions & the Black Community," *Industrial and Labor Relations Review*, vol. 22 (Jan. 1964), p. 185.
6. Marshall, *Labor in the South*, p. 253.
7. *Ibid.*, p. 254.

# 22 ♦♦ UNITED PUBLIC WORKERS: A REAL UNION ORGANIZES

## Founding A Militant Union

♦♦ Rhonda Hanson ♦♦

*Rhonda Hanson teaches social studies and is an active member of the National Education Association (NEA), serving on the Executive Board of the Prince George's County Educator's Association, which represents 6,000 teachers and other professional employees.*

In May 1946, the United Federal Workers-CIO met with the State, County, and Municipal Workers-CIO in an historic merger convention at Atlantic City, and the United Public Workers of America-CIO was born. The Plan was to:

... have in America a CIO union of government workers with the size, strength, and resources not only to exert great influence, but even more important, to organize in the government field as never has been done before.<sup>1</sup>

The UFWA brought to the new union its 38,000 members and its strong commitment to organizing, demonstrated by a budget providing 44 percent of income for organizing.

The leaders of the new union left the convention to celebrate their accomplishments at Hackney's Restaurant. The manager refused to serve the Black members of the dinner party, and immediately faced a picket line. The city promptly arrested 32 leaders of the new UPWA. When these events were brought to the new Executive Board, it gave full support to the action of

the delegates, and vowed to take court action against the restaurant.<sup>2</sup>

The incident reflected the long-standing commitment to equal rights that had been a hallmark of both unions. When the UFWA joined forces with SCMWA, it brought with it 10,000 Black workers.<sup>3</sup> This represented more than one-quarter of its membership. Was there another CIO, let alone AFL, union that could make such a claim? Al Bernstein says, The UFWA built locals on the basis of the fight to increase job opportunities for Blacks.<sup>4</sup>

The union's commitment to equal rights included not only job equality, but also social equality. This commitment began on the job, where UFWA members protested segregated cafeterias, restrooms, and other facilities, and extended to the social life of the union, spilling over into the community.

In its campaign to organize and upgrade Black workers, the UFWA sought the advice of civil rights organizations and Black leaders, and worked closely with them. Many of the union's leaders and rank-and-file members were also active in civil rights organizations. UFWA National Vice President Tommy Richardson was well known in Washington as a Black leader in the UFWA and in community affairs. Beatrice Reed, District Chair of the UFWA Committee on Inter-racial Unity, was appointed Administrative Assistant in the District of Columbia Branch Office of the NAACP. John P. Davis, who served as Chairman of the UFWA's "Advisory Committee on Negroes," also acted as Secretary to the National Negro Congress, which was particularly supportive of the CIO's attempts to organize Black workers.

## THOMAS RICHARDSON

Thomas Richardson, a native of Washington, attended Virginia Union University before embarking on an unusual career. He worked as an organizer and cultural worker with the Southern Negro Youth Congress, went on to the CIO Tobacco Workers Organizing Committee, wrote a play and acted with Paul Robeson in "Emperor Jones" before going to work for the Federal government. He became a member of Local 10 while in the War Manpower Commission, and soon



ological and political commitment to unionism. Given the choice between the NFFE, widely viewed as conservative and professional at best and as a "company union" at worst, and the AFGE, which, as an AFL affiliate, was in the mainstream of the labor movement, they opted to join AFGE. They found a union essentially indifferent to the organization of the New Deal agencies, so they set about organizing on their own.<sup>9</sup>

The militancy of these new unionists quickly came into conflict with the conservatism of the National AFGE Office, especially around the question of tactics. When John L. Donovan, President of AFGE lodge No. 91 at the National Recovery Administration, was fired for "inefficiency and insubordination", the members protested that it was a case of blatant dismissal for union activity. The members of Donovan's lodge rallied around him, picketing the headquarters of the NRA.<sup>10</sup> This was especially embarrassing for the Roosevelt Administration, since the NRA was responsible for backing up the right of employees in private industry to organize. The national leadership so strongly disapproved of the lodge's tactics that they pushed through an amendment to the AFGE constitution in 1935 forbidding strikes, picketing, and delegations to government offices of more than five people.<sup>11</sup>

In 1937, the Roosevelt Administration launched a new economy drive. Many government employees feared a repetition of the Economy Act of 1933 with its lay-offs and pay cuts. They urged AFGE's national leadership to adopt more militant tactics in opposing the economy drive. When AFGE ignored the advice, seven AFGE lodges set up a Committee Against False Economy and sponsored a mass rally in Washington in direct defiance of the union's constitutional ban on such demonstrations. AFGE suspended the lodges, which then appealed to CIO President John L. Lewis for help in organizing.<sup>12</sup>

The United Federal Workers was chartered in June, 1937 with a core of the seven "rebel lodges" that had formed the Committee Against False Economy.<sup>13</sup> In less than a year, it increased its membership from 1,385 to 14,000. The *CIO News* bragged, "It is a poor week when two or more new locals aren't chartered, either in Washington or somewhere in the field."<sup>14</sup> By 1940, the UFWA claimed a membership of 18,000, distributed in 122 locals in 23 departments.<sup>15</sup>

Although this was a fairly solid accomplishment for a three-year-old organization, the union recognized that the job of organizing the majority of unorganized workers lay before it:<sup>16</sup>



The net result of close to 80 years of effort is that 50,000 government employees out of a possible 500,000—excluding postal workers—are organized today. The United Federal Workers does not expect to change this overnight.<sup>17</sup>

The union's task was complicated by rivalry with NFFE and AFGE-AFL, the absence of collective bargaining in the Federal sector, no dues check-off, and the less than enthusiastic response of some Agency heads. In addition, "The UFWA was the subject of the most vitriolic attacks of any union I ever heard of," according to George Meyers, former president of the Maryland-D.C. CIO. "The Dies Committee made a career out of playing with Federal workers."<sup>18</sup>

The United Federal Workers responded to each new attack with an aggressive organizing drive based on militant rank-and-file unionism scorned by NFFE and AFGE. The union held mass rallies to demand pay raises and the re-hiring of UFWA members dismissed for being "subversives". And despite the absence of legally-sanctioned collective bargaining, the union managed to develop a system of grievance adjustments and departmental negotiations, a technique other governmental unions had never employed.<sup>19</sup>

### **First Woman President of a National Union**

The union also boasted, among other accomplishments, that it was the first national labor union to be headed by a woman. President Eleanor Nelson was also the first woman to sit on the executive board of a national labor federation—the CIO.

At the close of 1942, the UFWA launched an all-out drive in Washington to bring Government employees under the banner of the UFWA. The drive was led by four organizers, including two women. One was Marie Richardson, a Black machinist at the Navy Yard, and a graduate of Howard University. Coleman Young was another Black organizer for the UFWA.

### **First Cold War Target: Government Workers**

This militant history was uppermost in the minds of the delegates to the 1946 UPWA convention. They passed a resolution supporting the right of *non-Federal* locals to strike—that is, the locals of state, county, and city workers. This decision created a controversy on the right of government workers to strike. The UPWA accused "anti-labor Washington newspa-

pers" of "whipping up hysteria" by falsely charging that the UPWA was "planning strikes that constituted a threat against the United States Government."<sup>20</sup>

Congress quickly passed a rider to an appropriations bill depriving any Federal employee of his or her salary for belonging to any organization advocating the right to strike against the United States Government. The rider required employees to sign affidavits stating that they did not belong to such an organization. It reminded old-timers of the "yellow dog" contracts of the 1920s, requiring workers to swear they would not join a union while employed by a company.

The union insisted that the rider could not apply to the UPWA, since the union had never asserted the right to strike against the United States Government:

It is obvious, however, that these riders are an attempt to persuade government employees not to affiliate with the United Public Workers of America. These riders are not at all concerned with preventing strikes in the government service. The purpose has been baldly stated by the sponsors themselves as that of union busting.<sup>21</sup>

Having gotten away with the affidavit against the Federal workers, in March 1947, President Truman issued his Executive Order authorizing "loyalty" investigations of all Federal employees. This led to investigations of many of the most active members of UPWA. They fought back in administrative hearings, ridiculing charges of "disloyalty". But many were fired.

Then Congress enacted the Taft-Hartley Act, which specifically barred strikes by government employees, a provision aimed at UPWA. This created additional problems for the union—not because it planned to strike, but because it planned to survive, and, if possible, to grow.

The union and its members had some experience fighting over acts of Congresses and Presidents by this time. They had learned a few lessons in the long struggle for fair employment practices during the war.

## **UFWA and FEPC During and After the War**

When President Franklin Roosevelt established a Fair Employment Practices Commission in 1941 as a temporary war-time measure, the UFWA seized upon the President's Executive Order as a way to break Jim Crow in the Federal Government and to win concrete gains for Black workers. The UFWA

instructed its locals to report cases of discrimination in Federal agencies to the National Office. By April 1942, the National Executive Board reported that the FEPC was receiving about 75 complaints a day and that half came from Government workers. Every local was directed to set up its own committee to adjust all discrimination grievances in its agency and a national committee was set up to coordinate the anti-discrimination work of the union. In January of 1943, the UFWA held a Conference on Negro Discrimination in the Federal Service to document cases of discrimination.

In June, 1944, the United Federal Workers began to discuss ways to preserve the war-time gains of Blacks. In June, the Union held a "Unity for Victory Conference" to consider how to achieve full unity of Negro and white workers behind the war effort, but much of the discussion in the program panel focused on the problems of post-war reconversion. The panel recommended a percentage lay-off system that would protect employment gains made by Blacks in Government during the war. The national office urged discussion in the locals and promised to be guided in negotiations with the Civil Service Commission by the recommendations it received.<sup>22</sup>

In July, 1944, the UFWA established a National Reconversion Committee. Its preliminary program called for protection from discrimination against minority groups in terminations and transfers, but did not specify how this would be accomplished. The Committee warned that the use of efficiency ratings in determining lay-offs was potentially disastrous for Blacks and other minorities, given the widespread discrimination that existed in the Federal agencies. The Committee argued that seniority would be a less biased and more objective method of determining lay-offs, but did not grapple with what this meant for "last-hired" Black workers. Rather, the Committee seemed to be relying on the demand for full employment and "a controlled transfer of surplus personnel to expanding government agencies or to private industry."<sup>23</sup>

At the October '44 Convention, the Resolutions Committee proposed a system of proportional lay-offs, so that a fair proportion of Blacks would remain in the event of lay-offs, even if some had less seniority than some whites who were laid off. In the debate, the delegates agreed on the importance of maintaining unity and the likelihood that reactionary forces would attempt to stir friction between Black and white workers. But they were divided on whether a campaign for proportional lay-

offs would strengthen or weaken unity, and unanimously referred the matter to the National Office.<sup>24</sup>

In March, 1945, UFWA Vice President Tommy Richardson delivered a keynote address before the Negro Labor Victory Committee on seniority rights and lay-offs. He pointed out that seniority and the CIO's commitment to wipe out discrimination both sprang from the same desire "to prevent reactionary employers from having sole and arbitrary power in shaping the economic pattern of the country." He stressed two themes: 1) the necessity of a permanent FEPC to prevent discrimination in lay-offs and transfers, and 2) the importance of the fight for full employment policies—not only to protect war-time gains by Black workers, but also in order to win the support of white workers for measures to protect those gains:

The questions of seniority and lay-offs as they affect Negro job gains can only be resolved in a framework of strong national unity, forged by the fight of the common people for permanent peace and full employment. [With such unity] there can be no fear that wherever the proportional plan remains the *sole solution for the protection of Negro job rights*, then labor and all decent Americans will support such a move.

As the country entered the reconversion period, the UFW placed increasing emphasis on the FEPC as a major weapon in the fight to prevent discrimination in lay-offs and transfers. The union did not pursue the proportional lay-off plan. In May, 1945, the UFWA and FEPC Chairman Malcolm Ross signed a joint statement of policy allowing for the rapid transmission of complaints from the union to the FEPC.

In August, the UFWA issued its Reconversion Program:

1. Mandatory Transfers: Preference in post-war hiring should be given to present Federal employees and veterans. The Civil Service Commission should establish a reemployment register of all laid-off or terminated employees.
2. Unemployment compensation for Federal workers.
3. Passage of the Magnuson Bill to establish *seniority as a basis for lay-offs* in the Navy Yards and arsenals.
4. Pay increases to offset the loss in overtime pay as hours are cut.
5. Full employment.

At the same time, the union's Policy Committee voted to reconvene the National Anti-Discrimination Committee to further

implement the protection of minority group job rights during reconversion.

On August 16, 1945, the Civil Service Commission adopted the main points of the UFWA's "Mandatory Transfer" Plan, giving laid off Federal workers and veterans preference for all Government jobs during reconversion. However, the Commission's policy allowed agencies to hire any worker released by another agency within the past 30 days.

The union warned that this policy would lead to discriminatory hiring and argued that hiring from impartial reemployment lists based on seniority would have been fairer. The union promised to take up cases of downgrading and discrimination against Black and women workers with the Civil Service Commission, the FEPC, and the agencies concerned.

On February 4, 1946, President Truman signed Executive Order 9691 directing the Civil Service Commission to resume giving examinations and to establish a register of eligible employees, giving preference first to veterans, then to displaced Federal workers. The Federal agencies were given authority to make appointments in the interim period.

Again the UPWA protested: this policy would lead to widespread discrimination against Blacks.<sup>25</sup>

In April, Federal agencies began recruiting workers through the U.S. Employment Service. The D.C. Office of the Employment Service maintained separate interview units for Black and white workers, kept separate files of job applicants, and, on request, referred applicants to employers on the basis of race.

The Union lodged a protest with the Civil Service Commission and demanded that Federal agencies be barred from using USES until the Jim Crow set-up was abolished.<sup>26</sup> In May, the Civil Service Commission upheld the Union's charges against USES, then gave USES a grace period in which to reform its practices.<sup>27</sup>

The Union then initiated legislation to restore the merit system in Federal hiring for temporary jobs.<sup>28</sup>

### **Teaching Government Workers Their Rights**

At the same time, the union was teaching its members, by example, about their basic civil liberties. Richard Bancroft, president of government cafeteria workers Local 471 from 1946-48, remembers the great contributions of the United Fed-



Public Health Service, GPO, State Department, Navy Department, Office of the Army Secretary, Public Building Administration, and Alien Property Custodian.<sup>31</sup>

The UPW submitted its evidence to the President's Civil Rights Commission, the Civil Service Commission, and the President himself.

In the face of such evidence, Clarence Mitchell, Labor Secretary of the NAACP, Revels Cayton, Executive Secretary of the National Negro Congress, and Julius Thomas, International Relations Director of the National Urban League, joined with Tommy Richardson of the UPWA to formulate a program of joint action to combat discrimination in government agencies. The Committee warned that discriminatory hiring practices threatened to wipe out the job gains made by Blacks in the previous ten years.<sup>32</sup>

One reason for the growing discrimination against Black workers in the post-war period was the growing impotence of the FEPC.

On November 23, 1945, FEPC ordered the Capital Transit Co. of Washington, D.C. to cease discriminatory practices against black workers.

Truman countermanded this order.

His action prompted Charles H. Houston, a leading constitutional lawyer and one of the Committee's two Black members, to resign in protest a few days later with the statement:

The President's attitude in the Capital Transit case reflects a persistent course of conduct on the part of the Administration to give lip service to the elimination of discrimination in employment on account of race, creed, color or national origin since V-J Day, while doing nothing to make the policy effective.

The President's "attitude" and "persistent course of conduct" resulted in the FEPC passing out of existence on June 30, 1946.

The UFWA had picketed the White House to protest the shutting down of FEPC regional offices. Now they demanded new FEPC in government, sending hundreds of resolutions, thousands of wires and letters, and tens of thousands of signatures to President Truman demanding an Executive Order on fair employment practices. The union testified before the President's Committee on Civil Rights and its members traveled to Washington to lobby for FEPC.

With or without the FEPC, the Union continued to document



cases of discrimination and work for a non-discriminatory policy in the transfer of workers laid off by one agency to another agency.

## **The Eight Workers in Room 121**

One such fight involved the transfer of the Financial Division of the Office of Price Administration to the Federal Trade Commission. During the war years, the OPA, in a search for qualified employees, had hired many career service people from other government agencies, without regard to race, color, or creed. Its Financial Reporting Division included eight Black workers—one accountant and seven accounting clerks, all of whom had received “very good” to “excellent” ratings. In November, 1946, OPA went out of existence. By law, career service employees were to get preference in hiring by other agencies. This meant that when OPA’s Financial Reporting Division was transferred to the FTC, its employees would also be transferred.

But the FTC did not hire one Black, Jew, or woman from the OPA staff.

The passed-over employees, who were members of the UPWA, took the case to their union. The UPWA protested to the Civil Service Commission and to the President. After much argument and debate, the FTC agreed to take the workers in question, then several months later laid them off.

Again the UPWA protested.

The Civil Service Commission ordered the FTC to take the OPA group back, in accord with Federal regulations.

All eight Black workers were then assigned to Room 121—by themselves. They were given no work for three weeks. When they repeatedly asked for work, they were given menial tasks—stuffing envelopes, filing, copying reports made by other employees. On September 8, 1947, all eight received dismissal notices citing low efficiency ratings and lack of funds.

One of the eight pointed to his previous high ratings. The supervisor replied that, while he may have gotten a good rating when compared to other Blacks, his work was only “fair” when compared with white employees.

The UPWA, supported by the NAACP, demanded hearings before the Civil Service Commission. Three of the workers were eventually reinstated. The UPW stressed that the “story of room 121” was not unusual—ten other government agencies



had “whites only” hiring policies.<sup>33</sup>

In July 1947, after months of submitting evidence on the discriminatory hiring policies of several federal agencies, the UPWA complained that no action had been taken on any of the union’s complaints.<sup>34</sup> Frustrated, the Union sought to expose these practices in a publicity drive that resulted in articles in the *New York Times* and many other newspapers, as well as several radio broadcasts.

### Victory on FEPC—In Writing

Throughout 1947, the UPWA campaigned vigorously for an FEPC in government. In September, 1947, the National Executive Board vowed to mobilize the entire membership to win a new FEPC and instructed its regional directors to establish committees in all 475 locals throughout the country to carry on this work.<sup>35</sup>

Finally, on July 26, 1948, after more than two years of intensive activity by the UPWA and various civil rights organizations, President Truman issued an Executive Order governing fair employment practices in the Federal government. The UPWA hailed the President’s action and encouraged its members to feel proud of their achievement:

The UPWA was the only organization of government employees which exposed instances of discrimination in the Federal service, which fought to correct the abuses, and which insisted that the only solution was the establishment of such an Executive Order.<sup>36</sup>

At the same time, the Union pointed to important weaknesses in the order:

1. Administration of the Order was placed in the hands of the Civil Service Commission. The UPWA, pointing to years of negotiating with the Commission, called their record “disappointing.”
2. The FEP Board was not given investigatory power, placing responsibility on the individual to secure proof of discrimination.
3. There were no specific penalties for violation of the Order.

The UPWA urged the President to put “teeth” into the Order and to “demonstrate his determination to enforce ... the Order” by appointing an Afro-American to the Civil Service Commission. Such an appointment, the union suggested,

would "symbolize the spirit of fair employment practices."

The Union warned its members that the fight was not over:

It would be foolhardy to expect that this Order will eliminate job discrimination against minority groups in Federal Agencies without continued vigilance and a *fight in every case*.<sup>37</sup>

One obvious place to fight was in the South. UPWA promptly launched its own Operation Dixie. Many in the labor movement in 1947-48 advised them it was not possible to organize in the South unless "you follow the pattern," i.e., the pattern of Jim Crow and discrimination. The union scorned this advice and built integrated locals.<sup>38</sup> One of the major fights waged by the union in the South was its campaign for equal pay for Black teachers.

UPWA kept noticing that the government tried out its newest weapons on its own employees first, then used them against all labor: first loyalty oaths, then the no-strike provisions of Taft-Hartley. The union kept trying to alert the rest of the CIO to the dangers lying ahead [*discussed in section 48*].

## ACKNOWLEDGMENTS

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## **23 ♦♦ THE CIO JOINS THE INTERNATIONAL LABOR MOVEMENT**

♦♦Len De Caux♦♦

*See author note in section 18.*

1945 was for CIO—and for me—the most international of years. I flew over most of the globe as editor of the *CIO News*—London, New York, Washington, San Francisco, Hawaii, Guam, Manila, Paris, Berlin, Moscow.

### **The Postwar Look From the U.S. Perspective**

In the world capitals I visited, outside of the Soviet Union, it was Americans who strutted most—the best fed, best equipped, best cared for, richest, most technically advanced, least damaged, the most victorious-looking people ever to strut their stuff.

Manila was devastated. London was deeply damaged. Paris was the undamaged capital of a devastated people. Berlin was blasted to the humiliation of defeat. Leningrad was blasted too, but had pride of victory, as had Moscow. The Nazis strutted no more—in Berlin or anywhere else. In Leningrad and Moscow, they shuffled about prisoner tasks, at times under charge of a husky, be-rifled Russian woman (oh, Kinder, Kueche and Kirche!)

In London, less contrast between native population and prosperous American master-folk. But still contrast—and envy.

Anti-American jokes in first place with music-hall comedians. The war hit England hard, the United States not at all. Bombed-out gaps, as in a child's teeth, in London's once-solid blocks. The people short of food, clothing, the bare necessities, while the omnipresent Americans modernized their quarters with supplies from the United States. Their pockets bulged with money for luxuries most Londoners could only long for.

In Paris, Americans were still more conspicuously wealthy. The lowliest GI was a millionaire next to the average Parisian—in common comforts rather than money, though the dollar bought most. At an American PX, the GI could get things from soap, cigarettes, candy, and up that were without price in French money. His trifles were riches to Parisians.

At the Grand Hotel where I stayed, there was no hot water or heat, though American quarters had them. The Parisian's coal ration for winter would warm an American home but a few days. Meat was unavailable at my hotel, coffee made of some miserable cereal; even the Frenchman's wine was scarce, diluted, and prohibitively priced. The American-occupied hotel across the street—like other United States army hotels, messes, clubs—readily provided Americans with every food, comfort, luxury, the French lacked.

At a workers' mass meeting in Paris, the clothes vaguely puzzled me. The men wore Sunday suits, neat and clean if often threadbare. But they hung loosely, like ill-fitting hand-ne-downs. Gone were the plump, jovial Frenchmen I remembered. Perhaps the suits had fitted when first they were bought.

Berlin, unlike the other cities, was capital of a conquered people. It was terribly devastated. But Manila was like that, too, and Warsaw and Leningrad had suffered longer. Few German young men were on the streets. Old people and children roamed the once-proud Tiergarten, skirting around shellholes, searching among the charred stumps of trees for scraps of fuel.

Here, too, the Americans lived like lords. Their officers occupied the undamaged suburban mansions of the rich—supplied with all the comforts. To the victors the spoils? I felt more contrast in Allied cities.

In Manila and Paris, children were scrawny, ill-fed, sickly. In Berlin, most were rosily plump. The Nazis, I was reminded, had milked all Europe to feed themselves. Then, German enterprise was cozying up to American enterprise. A few weeks after V-E Day, moneymaking Germans were already

fawning on capitalistically compatible Americans—as superior a people, they hinted, as the German master race itself.

Only in the Soviet Union, with few Americans to be seen, was the rich-poor contrast missing. Children didn't crowd around to beg or solicit; nor toadies, flunkies, con-men, pursue us for our wealth. Soviet discipline, no doubt, but also something more. The USSR had been invaded by the Nazis; it had not been invaded by its American allies, like the other countries. The Soviet people knew the Americans only from a distance—as allies and equals; not as prosperous, powerful strangers in their midst to be catered to, not as rich relations to be envied or hated.

### London World Trade Union Conference

In February, I traveled with most of CIO's vice-presidents to attend an international trade union conference in London to plan for world labor unity. By the time of the Conference, February 6-17, 1945, Sidney Hillman had emerged as key man for world labor unity. Before he came, the conference stickled and bickered, due largely to left-right differences.

As in world power, so in labor, an American-Soviet-British Big Three predominated. While Roosevelt, Stalin and Churchill met at Yalta, their labor counterparts in London were Hillman, Vasili Kuznetsov, and Sir Walter Citrine. Kuznetsov and his colleagues were eager for unity and not disposed to be difficult. But the Soviet trade unions, with 27 million members, loomed so large numerically, and leftwing influence was so strong in other labor movements, that Sir Walter and other rightwingers suspected communist designs in everything. The first dispute was over admitting the largely left-led unions of some liberated or ex-enemy countries.

After Hillman arrived and got busy, the atmosphere changed. His first speech was inspirational. Behind the scenes, too, Hillman worked to allay the fears of British and other rights; to make them understandable to the Soviets and the left; to get concessions from both sides, and to compromise or sidetrack sticky problems.

Hillman was in bad health, he needed rest in a warm climate; his family had urged him not to go to London. He gave the job all he had—brains, experience, prestige, realism, diplomacy, drive—most of all, heart.

Though Hillman rejected Marxism, some of his activities



Kuznetsov knew more about the U.S. steel industry than did Murray before the Steel Workers Organizing Committee of the CIO. Kuznetsov had worked in the mills of Jones & Laughlin and U.S. Steel, and graduated from Carnegie Tech with a master's degree in metallurgy. He was fluent in English and well versed in U.S. labor affairs. As responsible labor leaders, diplomatic by nature and training, Kuznetsov and Murray could negotiate readily—reaching agreement, if that was their purpose, or giving and taking in reasonable disagreement.

Kuznetsov was a Soviet Communist, Murray an anti-communist United States Catholic. They could still agree on world labor unity to preserve the peace, to keep down fascism, to better workers' conditions. They hit it off quite easily.

Other Soviet unionists were not unlike their U.S. counterparts in type—could take the floor and hold forth, handle beefs aggressively or diplomatically, closely follow a policy line. Americans followed their union-machine like communists their party line; their jobs depended on it.

From other countries, the most conservative unionists called themselves socialists, social democrats, syndicalists, some shade of pink, and held themselves to be to the left of U.S. unionists who didn't even have a labor party. They reacted just like U.S. rightwingers to their (usually communist) opposition. The functionaries of IFTU and its trade secretariats could have fitted into Jim Carey's CIO staff or Walter Reuther's UAW staff without anyone noticing.

Britishers Arthur Deakin and Ebbey Edwards were doubly familiar, since many United States unionists were as British by birth and type as they. Sir Walter Citrine was distinctive—as persnickety sharp and policy-conscious as Hillman, with whom he was soon to match wits in London preliminaries to WFTU. At the San Francisco U.N. meet, the British delegation—including Labor Party but not union representation—joined with the United States to deny WFTU the advisory status favored by the USSR and France. As for that old lion of French syndicalism, Leon Jouhaux, he could have stood in for John L. Lewis in portly, shaggy bulk—and, during his aging years of declining influence, a certain grumpiness.



VICENTE LOMBARDO TOLEDANO

Vicente Lombardo Toledano was in some ways unique. Under Mexican President Cardenas, Lombardo's CTM (Confederation of Mexican Workers) supplanted the AFLish CROM, a leftward break comparable to CIO, which established close relations with Lombardo and CTM.

Union leaders are traditionally supposed to come from the workers they represent. They may have come a long way from a brief or tenuous association, but are still classified with "workers" rather than "intellectuals." It was important for a craft leader to have practical knowledge of his craft. But in an industrial union covering many different occupations, the background of a leader in a particular occupation had less bearing, except as an election talking point; professional qualifications came to count for more. Still, the leader was essentially the labor politician, with professionals or intellectuals in subordinate capacities. In less advanced countries, intellectuals might have an initial leadership advantage over little-schooled workers. But as industry and unionism developed, less intellectual leaders rose from the ranks or were imposed from above. Many Mexican union leaders were now coming to compare with their Yankee counterparts.

Vicente Lombardo Toledano did not.

Quiet and unassuming, Lombardo was an intellectual as well as a labor politician. With private income and a home full of books and art objects on the outskirts of Mexico, he had family ties with the Mexican power elite. Lombardo was also a professed Marxist and in his labor leadership tried to match theory with practice. He was attached to the labor and radical cause with a consistency rare in the get-rich-quick, turn-coat-quick setting of much Latin American politics.

Giuseppe Di Vittorio, head of the Italian CGL (General Confederation of Labor), was a Communist. Otherwise he was a familiar enough type in the U.S. where Italian-American union leaders are almost as common as Irish-Americans. He

and his wife would have passed unnoticed in any U.S. labor crowd.

From France came Benoit Frachon, head of the CGT (General Confederation of Labor), in plump build and well-rounded deportment a recognizable union-leader type. Frachon was quietly benign and congenial both socially and in the WFTU negotiations. In his big horn-rimmed reading glasses, he looked ruddily cherubic. He had had grim experiences in the anti-Nazi underground.

In the wine cellar of a small French restaurant in Oakland, I enjoyed a long evening relaxing with Frachon and his younger, harder-type associate Louis Saillant (later WFTU secretary). The proprietor was so pleased with his French guests he kept treating us to samplings of his best imports. They joked, gossiped, told anecdotes, and Frachon philosophized in homey, humorous vein about people and customs.

It was a very French evening. It reminded me of when I lived with French people in France, and we'd sit around sipping and chatting. No one got high, as over American cocktails. The wines created a sociable mood, loosening tongues for easy chit-chat, kidding, cynical, a trifle malicious. The effect was light, brittle, and to my foreign ears, peculiarly French.

So the French were French. The Italians were Italian. The Russians were Russian. The British were British. Union leaders from different lands had like characteristics. Put a bunch together, and if that was their purpose, they could get along famously.

## V-E Day, and Soon, V-J Day!

In May, the Nazis and Fascists were defeated in Europe! The world labor leaders agreed on a draft constitution for the World Federation of Trade Unions—with CIO, Soviet, and other leaders making concessions for unity, only the British a bit sticky.

In June, Murray invited trade union delegations from the USSR, France, and Britain to visit the United States as CIO's guests.

In July, the Soviet delegation was received with cordiality and fraternity by CIO and its unions. From Potsdam, came rumors that get-tough-with-Russia Truman was getting tough.

In August, V-J Day! Victory in Asia over Japan's totalitarian, expansionist regime! I was touring the Pacific front for the CIO with a delegation of labor editors. We were briefed by gen-

erals and admirals in Washington, Hawaii, Guam, and by General Douglas MacArthur, who spent some hours with us at headquarters and at lunch in his Manila home. MacArthur spoke off-the-cuff, critically and competitively, about the Soviet Union, but so too about the British. He said what he'd seen of the Australian Labor Party convinced him United States labor was wise not to have started its own party.

Very different from the briefings of the brass was the scuttlebutt we heard from the troops. From less inhibited junior officers we learned that, with Japan licked, "Russia" was fast replacing it as "the enemy." Our country's manifest destiny, its course of empire, lay further westward than Japan; and peace might only come when the Reds too were licked, if then.

Among the GIs, there was a strong countercurrent of opinion. Their idea was that, with Japan and Germany defeated, the war job was done; they wanted to go home. Shortly after we left Manila, GIs demanding to be sent home began to demonstrate there and elsewhere. Active among them were CIOers who learned about demonstrative techniques during the rise of CIO—including Emil Mazey, who was later to become UAW secretary-treasurer.

CIOer GIs introduced us to Filipinos trying to form a labor movement, whose ideas also differed from those of our junior officer contacts. Like our GI friends, they didn't believe the United States must impose "freedom" by force of arms on liberated as well as conquered peoples right up to the Soviet borders, and beyond, if possible. These colonials wanted independence not only from Japan, but also from United States military, financial, and economic overlords.

### **Paris WFTU Convention**

At WFTU's founding convention in Paris (September 25-October 8, 1945), the delegates divided in many ways—right and left, colonial and imperial, monied and moneyless, into geographical and political blocs.

Substantial and well-heeled were the American and British business-unionists—from unions with treasuries, contracts, steady dues income, accepted into the establishments of victorious and advanced countries. In the same club were delegates from Canada, Australia, New Zealand, other white-skinned British dominions. So, too, the Swedes and the Swiss, beneficiaries of their neutrality. Brother clubmen, if down in their

luck due to Nazi invasion, were other Scandinavians and Nordic Europeans—white, well-scrubbed, respectable, from normally ruling and prosperous countries.

French and Italians were more shaken up by the war, more radical, more communistic. The business-union men wondered how steady might be their per capita.

Momentarily the Soviet unionists—with millions of dues-paying members—stood well with the business-unionists. Their devastated country was a major victor, accepted by Churchill and Roosevelt as one of the Big Three.

Toward Poles, Hungarians, Rumanians, Bulgarians, Yugoslavs, Czechs, the Anglo-American outlook was more misty. They were reds in a less long-accepted fashion than the Soviets. The attitude was wait-and-see.

From colonial, semicolonial, and neocolonial countries, the delegates were dark-skinned, unprosperous, bitter. Expressing their anti-British sentiments with British accents were delegates from India, West Indies, British Guiana, Nigeria, Gold Coast, Cyprus, Gambia, Sierra Leone. They resented patronizing big brothers in the British Trades Union Congress.

The Latin Americans—from Brazil, Colombia, Cuba, Ecuador, Guatemala, Mexico, Panama, Puerto Rico, Uruguay—were anti-Yank, though distinguishing between the grossly imperialist AFL and a CIO which still showed good intentions.

The Chinese—with a union federation in newly liberated north China only in process of formation—were reserved. Polite, dapper, socially correct, they spoke English well, if they spoke to others at all. They were more tightlipped than the Soviet delegates, who followed their line with discipline (being “organizational” or “loyal” we called it in American Labor, and I was used to it; the British too hewed to their line, if Sir Walter was watching) but who also spoke up for it and could be quite chatty, if not so gossipy as some eastern European reds.

All told, there were around 350 delegates, alternates, and observers, representing 66,760,000 union members in 56 countries. Only major absentees were the Germans and Japanese, not yet rehabilitated in world labor esteem; and the AFL, invited but unwilling to attend.

A British-Nordic bloc was the convention’s rightwing. It didn’t include Britain’s more independent white dominions or her dark-skinned colonies, but did have the remnants of the IFTU. The French and Italian trade union movements were well to the left.



fighting reds in China. They felt kinship with the forces of national liberation beginning to stir worldwide.

There were many of these people in and around the WFTU convention. They didn't want the postwar world to relapse into old ruts. Having driven out foreign oppressors, they wanted to settle accounts with domestic oppressors—with capitalists and collaborators snuggling up to the Anglo-Americans as they'd done to the invaders. They were mostly—though not uniformly—of the left, enough for quislings and their new dollar-pound sponsors to dub them “the communists.”

Still, a bridge had to be built at Paris between labor's right and left banks for united world labor to march over. Hillman was its engineer. Leftwingers in the capitalistic west had to do much of the construction. One third of the CIO delegation at both London and Paris were of the left. Just as Lewis had leftist Lee Pressman for close aide and adviser during the CIO uprising, so Hillman had a man of the left, attorney John Abt, at his side throughout his leadership for world labor unity.

In October, I traveled from Paris to Berlin with the CIO delegation. United States representative Robert Murphy, briefing us on steps being taken to straighten out the Germans, kept passing over de-Nazification.

"And de-Nazification?" one of us would interpose.

"And de-Nazification, of course," Murphy would say.

It didn't seem uppermost in his mind.

## CIO Delegation to the Soviet Union

From Berlin on to the Soviet Union, whose unions entertained our fraternal delegation. Ambassador W. Averell Harriman jarred the cordiality and fraternity but slightly with some discordant notes.

The CIO delegates to WFTU and to the Soviet Union represented the more advanced sector of United States labor—the vanguard of our working class, I liked to think. Begun as an uprising against employer-domination, the CIO had departed from the capitalist norm.

The CIO favored extending wartime unity into the postwar world, favored United Nations cooperation for peace and social

progress and against fascism. It opposed imperialism and called for independence and self-determination for all countries. True, President Roosevelt proclaimed such policies. But, unlike the AFL, the CIO underwrote and promoted them with a vigorous lead for world labor unity. The CIO also opposed those forces in the U.S. that would negate these policies in favor of American-Century neo-imperialism and Cold War.

At Paris, the CIO delegates helped unite all major labor movements (except the AFL, for which a place was left open) in one World Federation of Trade Unions. The visit to the Soviet Union was a fitting followup to this unity of the labor of both capitalist and socialist countries.

By the time we gathered for dinner at the United States embassy in Moscow, most of us were enthusiastic about the Soviet people we'd met—their human, friendly warmth, their grit, their likenesses to the United States unionists, the hope for the future they saw in CIO's attitude. After dinner, we had a long bull session with Ambassador W. Averell Harriman. We stressed our good impressions, and I heard no rightwinger dissent. Joe Curran, President of the National Maritime Union, called for closer alliance and a \$6 billion United States loan to expand trade with the Soviet Union.

Harriman listened, nodded, added his comments. He seemed to go along—at least I assumed he did, in line with proclaimed United States policy. When his comments were restrained or negative, I thought he was just adding a realistic pinch of salt so we might not ignore practical difficulties.

Later that night a cold hotel room (no heat in Moscow before October 15) dissipated the warmth of good food, liquor, and cordiality. I woke and began to brood over Harriman's remarks and reactions. In delayed and sour reaction, I wondered if the ambassador had been trying, with diplomatic delicacy, to brief us on a new United States foreign policy, of the kind that was to go with Truman and the bomb. Harriman had given such briefings before—notably to a select group of American publishers at the United Nations Conference in San Francisco as early as April, a few weeks after Roosevelt's death.

A proud people welcomed our CIO delegation as guests. They didn't see Americans as "the enemy," as patronizing benefactors or malefactors, as neocolonizers or business competitors. For that moment of time in 1945, Soviet citizens we met saw Americans as valued allies, as labor friends (through CIO), as prospective collaborators for peace and progress.

This unity didn't last. The Cold War blasted this and more of humanity's highest hopes. But it offered lasting evidence of what world labor is capable of doing for peace.

### **The Dream of 1945 Ended**

1945 ended with President Harry Truman shaking the atom bomb at the USSR, and the Soviets retorting they'd have one, too. It ended with world labor unity undermined; strikes of millions breaking out all over the United States; and all realists scoffing at their earlier dreams.

What had happened during the year?

The war ended. A common enemy no longer united the Allies. Roosevelt died, and with him his postwar dreams. At the dedication of his monument, the United Nations, get-tough-with-Russia whispers were so loud one could hardly hear the FDR obituaries.

The United States atom-bombed Hiroshima and Nagasaki—to get the jump on the USSR in the Pacific, it was said. Right after V-J Day, Churchill tried out in Parliament the “Iron Curtain” slogan (taken from Goebbels) with which he was to wow the world (and a grinning Truman) at Fulton, Missouri, in March 1946.

Churchill, who once offered rebellious colonial blacks “a taste of the sjambok” (South African bullwhip), didn't intend to preside over the liquidation of the British empire. He left that to Labor and Tory successors, who refinanced the firm, under a new Commonwealth name, as a subsidiary of the United States empire. Truman and Wall Street were in an expansive mood. They spread American bases, missiles, missions, investments, all over the world, right up to that Iron Curtain they hoped to roll back.

The spots showed proudly on Churchill's imperial leopard-skin. The dollar sign was waterfast in Truman's plebeian toga. Tiger Stalin hadn't changed his stripes.

The good words of Teheran and Yalta were not enough to stop capitalist imperialism from colliding with expanding socialism and colonial liberation.



## 24. ♦♦ U.S. LABOR EMERGES FROM THE WAR

♦♦ Henry Foner ♦♦

*During the Cold War, Henry Foner taught stenography and typing, wrote songs and played in Suspended Swing, the Foner brothers band, and finally became Education Director of the Joint Board of the Furriers Union. Today he is President of Local 1, Fur, Leather and Machinists Union, United Food and Commercial Workers International Union (AFL-CIO).*

The United States labor movement emerged from World War II in an enviable position, on the surface at least. Labor could boast of its important role in the world-wide defeat of fascism—the greatest menace ever faced up to that point by either labor or the democratic heritage it typified.

In 1945, U.S. labor represented a greater portion of the organizable working class than ever before in its history. During the 1930s the Congress of Industrial Organizations had conducted successful drives in the mass production industries—steel, auto and rubber, the electrical industry, the maritime trades, and meat packing, among others. As a result, the CIO brought into labor's ranks, for the first time, large numbers of blacks, women, and foreign-born workers, long ignored if not actually shunned by the craft unions of the American Federation of Labor. These workers swelled union ranks throughout the war.

In 1945, U.S. labor also knew how to capitalize on its political role, to ensure that its influence was matched by its contri-

bution. Labor had been flexing its muscles through the CIO's Political Action Committee to get out the vote in 1944. Its role in the fourth-term election of Franklin Delano Roosevelt was literally indispensable, and it maintained a vigilant watch on his Administration's policies to keep them on a pro-labor, anti-fascist path.

At the same time, progressive labor leaders were encouraging cultural programs in union locals, libraries on union ships, attendance at labor schools [*described in section 19*], and cooperation with the National Council of the Arts, Sciences, and Professions (ASP), the American Committee for Protection of Foreign-Born [*described in section 68*], Labor Research Association, and many other national and local organizations seeking to move the country forward.

The CIO also encouraged solidarity among its members. Steelworkers who took their families to a peaceful Memorial Day picnic in Chicago in 1937 during the Republic Steel strike would never forget the company-sponsored attack that left union workers dead and wounded. Militant strikes by other CIO unions taught the lesson of success through workers' unity. Men and women in city after city learned that "It's us or them."

From its very inception, the CIO helped its members discover another lesson: Red-baiting never builds unions. During 1937-38, the CIO was forced to confront, head on, the charge that it was a "Communist conspiracy." At the height of its campaign to organize the mass production industries, the National Association of Manufacturers developed the slogan:

#### JOIN THE CIO AND HELP BUILD A SOVIET AMERICA

They distributed two million copies of a pamphlet with that title.

The leaders of the CIO at that time were more interested in results than in labels, and President John L. Lewis knew the value of left-center unity from his own experience, some of it quite bitter. He knew the seeds of industrial unionism were first sown by Eugene V. Debs and the Industrial Workers of the World (IWW). They were nurtured by the Trade Union Educational League (TUEL) and later by the Trade Union Unity League (TUUL), both led by Communists.

## THE REAL IMPETUS FOR THE CIO

It is rather amusing to note how most labor historians choose to ignore what was probably the real impetus to form the CIO and to pass much of FDR's New Deal labor protections. The major impetus was the formation of unemployment councils in practically every major city in the U.S. during the latter 1920s and early 1930s. Spearheading those local drives to organize the unemployed into self-help and mutual support groups, and thence educate them toward egalitarianism and socialism, invariably were local Communist Party organizers, inspired by the success of the Bolshevik Revolution in Russia, who survived the Red Scare and smashing of the socialists in the '20s. Many were intellectual-activists, like John Reed. Others were street-smart, mule-tough veterans of union organizing drives.

It was they, much more than John L. Lewis or any of the AFL hierarchy before or after, that created the CIO and moved FDR to put a labor agenda at the top of his early priorities. In fact, FDR did not put the Wagner Act in his first 100 days legislation. On the contrary, he argued against that step and opted for General Hugh Johnson's brand of "official company unionism," modeled after labor relations in vogue in Italy, and being aped and improvised upon in Hitler's Germany and Salazar's Portugal.

Wherever FDR visited in his 1932 campaign, he was confronted by large crowds of organized unemployed people. And those Unemployment Councils were challenging if not controlling established AFL city central bodies around the country. William Green and his conservative building trades cronies clearly were not in command of the situation. And by 1935, both John L. Lewis and FDR had gotten that message.

♦♦William W. Winpisinger, President, IAM AFL-CIO  
in 43 National Lawyers Guild Practitioner 17, 19-20 (1985)

Many of the early CIO organizers were Communists, and early CIO members knew it. As Saul Alinsky later wrote: "The fact is that the Communist Party made a major contribution in the

organization of the unorganized by the CIO." And labor historian Ray Ginger wrote in 1973: "We do not need any more trash about 'How the Communists Infiltrated the CIO.' Plain truth is they were a major force in building it." [See *"Academic Fallout,"* section 58.]

The plain truth, too, is that the left-progressive unions in the CIO were those most active in organizing those virtually ignored by the AFL: black and women workers and the foreign-born.

This truth was widely accepted by CIO leaders and members. Walter Reuther of the UAW put it very strongly before the war:

So let's all be careful that we don't play the bosses' game by falling for the Red Scare. Let's stand by our union and fellow unionists. No union man worthy of the name will play the bosses' game. Some may do so through ignorance. But those who peddle the Red Scare and know what they are doing are dangerous enemies of the union.

### Problems Just Below the Surface

The U.S. labor movement could be proud of these activities and attitudes at the end of World War II, and they were considerable.

But there were problems for labor just below the surface. They were created by the strange bedfellows the unions slept with during the desperate war against fascism. Labor played a partnership role with industry from 1941 to 1945; this involved many contradictions, and led to some weakness.

During the war, labor stuck to a "no-strike" pledge in order not to disrupt war production to defeat fascism; it exercised restraint in seeking wage increases and making other demands. These policies slowed the improvement of workers' living standards. They also weakened the unions' standing in the eyes of their own members, who saw prices rising despite controls and profits soaring uncontrolled. (The press reported average yearly profits for 1942-45 more than four times as high as for 1936-39.)

Unions talked about a "partnership" between employers and unions. This idea cut the fighting trim that characterized the difficult pre-war organizational battles.

Another factor limited the power of the labor movement after the war. The organized left, headed by the Communists, suffered a loss of influence during the war in precisely those areas

where its strength had been greatest during the organizational drives of the CIO—among the black workers, North and South. The urgent need to “win-the-war” caused Communists and others to tend to downplay the legitimate need to combat racism. But rampant racism still prevailed in both the armed forces and the nation at large, and required a vigorous campaign of attack.

Still, union members could take pride in the important role labor played in a war that was genuinely anti-fascist and progressive. Joe Louis said that America’s Blacks had a lot of problems, but they wouldn’t be solved by Hitler. This punch-packed comment still contains the inescapable truth that motivated the masses of American workers—black and white, men and women, native and foreign-born—during the war against the fascist Axis powers.

The jubilant celebrations of V-E Day and V-J Day were barely over before a new phase opened on two fronts.

First, U.S. corporations decided to return to pre-war “business as usual.” They needed labor’s unwavering support to defeat the fascist powers, and under the umbrella of “national unity,” big business was perfectly willing to accord both the AFL and the CIO partnership roles in the war effort. Once the war ended, however, the captains of U.S. industry sent out signals that the “honeymoon was over” as far as they were concerned. The unions would have to carry on an unremitting struggle to maintain their organizational strength, to achieve decent wage standards and working conditions, and to organize the unorganized, particularly in the South.

Evidence of this new decision was not long in coming. Corporate net profits for 1946 reached an all-time peak, prompting John R. Steelman, Director of War Mobilization and Reconversion, to declare in his October 1, 1946 quarterly report that “Business profits, after taxes, are at the highest point in history. . . .”

As for prices, President Harry Truman left little doubt about his and the government’s intention of dismantling price controls early in 1946. When the Steelworkers Union sought a wage increase, the Office of Price Administration decided the major steel companies should absorb the increase out of their swollen profits, without any increase in prices. Truman reversed this decision. This was the first break in the “hold-the-line” policy launched by President Roosevelt, which OPA had followed with relative success. In just three months after

Truman's decision, consumer prices rose seven times higher than in the preceding three years, and wholesale prices rose nine times.

At the same moment, business and government launched a calculated campaign to shatter the wartime alliance with the Soviet Union. They embarked on a policy of hostility and animosity toward the U.S.S.R. as the second step in their attack on the U.S. labor movement.

Corporate America emerged from World War II with its facilities practically the only ones in the world that had escaped the ravages of war. It had two objectives: corporate domination within the United States, and isolation of the Soviet Union from the rest of the world. Despite its strength, it faced a formidable obstacle in its path: the unity of the left and center forces and unions in the CIO. These forces had spent years helping to mold the CIO into a fighting, progressive organization active in both the industrial and political arenas of the nation. If big business wanted to prepare for the coming "American Century," one of its primary tasks had to be the severing of ties between the left-wing and more moderate forces in the CIO.

## On Strike!

Eight million workers went on strike in the United States in 1945 and 1946—more than ever before in all U.S. labor history. Just before Thanksgiving, 1945, over 200,000 members of the United Auto Workers struck General Motors. Just after New Years, 1946, United Electrical, Radio and Machine Workers went on strike in 16 states demanding \$2 more per day (or 25¢ an hour). On January 21, the United Steelworkers closed down the country's steel mills in a dispute over wages which involved 750,000 workers in 30 states.

The GM workers were out 113 days before they won their demands in mid-March. 400,000 United Mine Workers went on strike April 1, demanding wage increases and a health and welfare plan. In May, the Railroad Trainmen and Locomotive Engineers struck, bringing national transportation to a halt for two days.

Many of these millions were members of CIO unions that had no strike funds. Still the strikers stayed out for weeks and months.

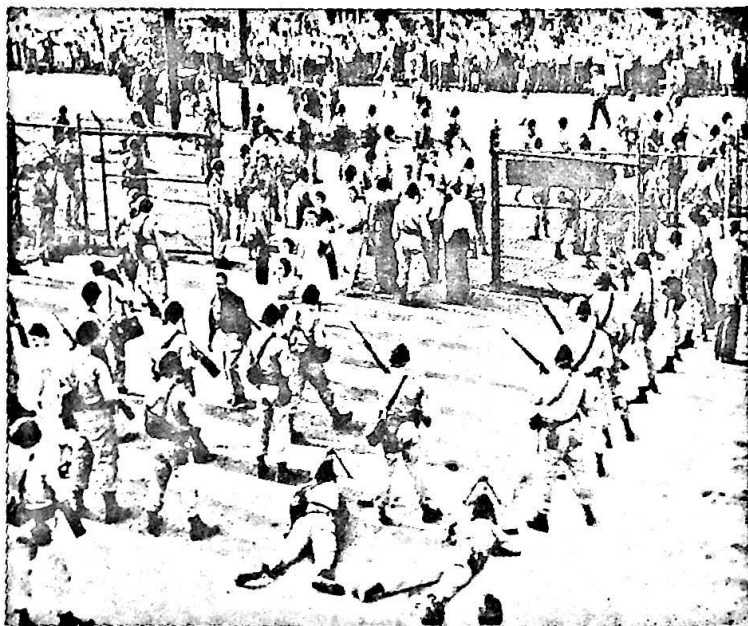
If this went on, where would it end?

♦♦LOOK, SOMEONE'S CROSSING!♦♦



Striking New York phone workers react angrily to a scab crossing their picket line in 1947.

Soldiers were sent in to guard the passage of scabs into a factory during a 1948 strike.



♦♦ Credits: *The Other America: Art and the Labour Movement in the U.S.* (English Edition); reprinted with permission of Reinhard Schultz, The Other America Project, Berlin (West).





nal date and permanently breaking up parallel negotiations in the major industries.

Furthermore, CIO President Murray, fearful of another disaster like the one in "Little Steel" in 1937, worked behind the scenes with John Steelman, President Truman's honcho, to postpone the strike action.

All these maneuvers failed when UE shut down GE and Westinghouse as agreed. Big steel, Chrysler and Ford followed.

The employers in Steel and Auto closed their plants, making no effort to break the strike. Their splitting tactic was to single out UE. GE and Westinghouse kept their plants open and encouraged back-to-work movements.

The strike struggles were fought in the streets, court houses, legislative chambers, and in local and national negotiations across the nation. The unions won finally 18.5 cents after strikes of varying lengths, but the seeds of the CIO's destruction were sown.

♦ ♦ Ernest De Maio, UE District 11

## Architects of the Cold War

The campaign to disrupt unity in the CIO was based on Red-baiting and witch-hunting. It required expulsion of the left-progressive CIO unions from the official bodies of the trade union movement. The pretext for kicking out these unions was not important, but speed was essential in any successful campaign to demoralize labor. The 1945-46 strike wave must never be repeated!

The Big Business goal coincided with that of another group, the architects of the Cold War. Even as the Allies were marching triumphantly through Europe, they had been harboring their own secret (and some not so secret) dreams of the next war against the real enemy—the Soviet Union. Now they had in the White House a president they could work with. As a senator in 1941, Harry Truman had responded to news of the Nazi invasion of the Soviet Union by advising: "If we see that Germany is winning, we ought to help Russia, and if Russia is winning, we ought to help Germany, and that way let them kill as many as possible." (This statement is an ideological ancestor of



This completed the circle, although it was left to General Electric president Charles E. Wilson to spell the program out in black and white. Just before he was brought into the Truman administration, along with hundreds of other business executives, Wilson said on October 10, 1946: "The problems of the U.S. can be captiously summed up in two words: Russia abroad, labor at home."

The leadership of the CIO ignored even this clear message. Instead of questioning the strange bedfellows they were meeting in their anti-Communist crusade, they bought the Big Business line.

### Splitting the CIO

And who was the most persistent goad to CIO President Philip Murray, urging him to set out after the "Communist-dominated" unions? By a strange stroke of poetic injustice, it was the same Walter Reuther who had earlier warned of the dangers of yielding to the Red-baiters.

Ben Gold has reported the ferocity of Reuther's pursuit of the Reds, and Gold should know. He was President of the International Fur and Leather Workers Union and the only self-acknowledged Communist on the CIO Executive Council. Gold reveals an exchange in which Reuther demanded that Communists should be ousted from all positions of union leadership, but rank-and-file Communist workers could be permitted to remain on their jobs, although they could not be members of the union.

Gold asked whether they would be paid strike benefits if they went on strike, or defended by the union if they had grievances.

Reuther replied that the details would be worked out later!

Phil Murray did not fall in line with the move to purge the left-led unions without some reluctance. Gold reports [*in section 37*] on a meeting with Murray in which the CIO President pleaded with Gold to resign from the Communist Party and assured him that if he did, he could continue on the CIO's Executive Council.

From other sources, we learn that Murray was subjected to a steady barrage by government officials; by Reuther, Emil Rieve of the Textile Workers Union and John Green of the Marine and Shipbuilders Union, who led the pack in the CIO Executive Council; and by leaders of the anti-Communist Asso-

ciation of Catholic Trade Unionists. One of the most ardent anti-Communists in the ACTU, Father (now Monsignor) Charles Rice of Pittsburgh, has lived to publicly regret his participation in the drive to rid the labor movement of "Communist" influence.

The split in the CIO ended plans for simultaneous negotiations and strikes, ended demands for a certain percent hourly increase by all leading CIO unions, and led to long 3-year contracts. It also ended the devotion to ideals that had distinguished the early years of the CIO:

ORGANIZE THE UNORGANIZED  
and  
BUILD POWERFUL, INDEPENDENT POLITICAL ACTION

## Who Were The Victims?

The simple truth is that anti-Communist hysteria shattered the unity of the CIO, and the real victims were the labor movement and the workers whose interests it is intended to serve.

This thesis was demonstrated very quickly.

Just as the "win-the-war" partnership during World War II had dulled the edge of labor's class consciousness, now a much more sinister combination aimed at stripping the labor movement of one of its essential elements: the left.

The Cold Warriors went after the workers who were urging the most militant mobilization of labor to meet the post-war challenge posed by big business.

CIO and AFL unions led countless raids against left-led unions during this period. The raiders aimed their propaganda not against the employers, but against the unions that held contracts in the targeted plants. And why not, since it was the employers themselves who were encouraging and literally fueling these raids. For example, when the International Fur and Leather Workers Union struck the tanneries in Gloversville, New York in 1949, a combination of AFL and CIO unions descended on the upstate city, each trying to outdo the other in raiding the IFLWU. The Fur and Leather Workers could not appear on the ballot in the Labor Board election that was ordered in the midst of the strike because they would not file non-Communist oaths. Clarence Carr, a leader of the striking IFLWU Local 202, described what happened:

During the next few weeks, a strange election campaign took place in

Gloversville. Having been ruled off the ballot, our Union called upon the workers to vote for "NO UNION," while the bosses, in full page newspaper ads, were urging our members to vote "FOR A UNION." The tanners displayed their impartiality by telling their workers to vote for either the AFL Leather Workers Union or the CIO Textile Workers Union. Both the AFL and CIO unions also took full page newspaper ads to praise the tanners and attack our Union. The local press was particularly vicious. Front-page editorials were published attacking our Union and its leadership and urging the workers to vote for the employer-sponsored AFL and CIO unions. . . .

When employers can urge their workers "For Your Absolute Security—VOTE FOR A UNION," it does not take much imagination to surmise the degree of militancy that union would demonstrate against those employers. And one would be right! Even though the Gloversville leather workers rejected their bosses' unions by over 2 to 1, the strike was ultimately broken and the workers were herded into a CIO union.

This story was duplicated in other industries where raiding AFL and CIO unions worked hand-in-glove with employers to oust left-led unions.

### **Laying Off Black and Women Workers**

When World War II ended and servicemen returned to their jobs, black and women workers were laid off. A survey by the National Urban League immediately after V-J Day indicated that large numbers of black workers lost their jobs in cutbacks in Chicago, Detroit, Los Angeles, New York, St. Louis, Toledo, Newark, Cleveland, Baltimore, and New Orleans.

Here, too, President Truman played a harmful role, first in undermining the Fair Employment Practices Committee, then causing it to pass out of existence on June 30, 1946.

By August, 1946, over two million women had lost their jobs.

Black workers responded to the CIO's failure to struggle effectively for their rights by building the National Negro Labor Council, described in section 76. The NALC torch was picked up years later by the organization of the Coalition of Black Trade Unionists.

But it took more than a quarter of a century for women workers to set up their own organization. The Coalition of Labor Union Women (CLUW) was founded in 1973 to carry on the struggle for first-class citizenship in both the plants and the unions.

## **What Happened When Labor Cut Off the Left?**

The immediate post-World War II period represented a turning point in the fortunes of the labor movement and the people of the United States. Parts 2 through 6 of this volume describe the heavy toll exacted from both the unions and general public when the organizations of U.S. labor embarked on the path of the Cold War.

History has also registered a plain truth: The official labor movement's adherence to the Cold War and its Red Scare effectively demobilized U.S. workers and prevented them from playing their rightful role in the 1960s. Labor should have played a larger role in the civil rights movement. And labor should have helped keep us from our shameful participation in the cruel and senseless war in Vietnam. The impact of this war is still being felt in our neglected and shattered urban infrastructures and in the total alienation of an entire generation of young Americans. If the labor movement continues its adherence to Cold War thinking today, it will hasten our country's involvement in what threatens to be a "second Vietnam" in Central America.

## 25 ♦♦ U.S. CAPITAL EMERGES FROM THE WAR

♦♦ Philip Sharnoff

*Philip Sharnoff, a student of history and economics, lived in Washington, D.C. during the Cold War and ran a small business. Today he has retired and is the author of Principles of Scientific Socialism (Palo Alto, CA: Ramparts Press, 1983).*

### The Moment of Victory

Just a week after the United States dropped atomic bombs on Hiroshima and Nagasaki, Japan surrendered to the United States and World War II officially ended. At this moment, in the fall of 1945, almost half the industrial output of the world was concentrated in the United States. All the other major industrial nations—Germany, Japan, England, France and Italy, not to mention the Soviet Union—had suffered enormous destruction during the war, while the United States emerged practically unscathed.

The United States had been the leading industrial power since 1910 and the richest financial power since 1919; its economic growth increased steadily until 1929. The great depression which followed did not really end for a decade. U.S. industry was revived, not by the New Deal, but by the stimulus of World War II, which more than doubled the industrial capacity of the United States of 1929.

Now, at war's end, U.S. big business celebrated the defeat of their keenest competitors in the world markets, Germany and Japan. Their allies, notably Great Britain and France, had

exhausted their resources and were forced to look to the United States for financial aid.

Such a position of economic dominance led to grandiose ideas on the part of theoreticians of U.S. business, and the idea of the "American Century" took root.

## HENRY LUCE'S AMERICAN CENTURY

Americans, once stay-at-homes, covered the globe at the close of the Second World War. Travel had expansive effects.

The ancient Romans, traveling far and wide to build their empire, became convinced by their invincible legions that they were superior to the barbarians in skill, cunning, culture, efficiency, politics, and way of life.

The British "shopkeepers"—traders, pirates, slavers, missionaries, soldiers, manufacturers, and bankers back home—carried the Union Jack around the world, till the poor old sun couldn't set on it. Britannia ruled the waves, its navy invincible—as too its colored armies, if British-officered. The British devoutly made it their mission to bring their way of life, their God, their moral code, and their politics to lesser breeds without law.

The Yanks not only chased the sun around the globe; they beat it in their jet planes. They came out of World War II on top, of both enemy and allies. Their armed forces were the most intact and advanced, first with the atom and hydrogen bombs. In wealth, industry, and technique, the United States was far ahead. The world, said *Time* publisher Henry Luce, was in for an American century.

The U.S.A. had everything, the rest of the world little or nothing. Such good fortune, many Yanks concluded, must be deserved. Must be United States free enterprise, moral values, democracy, or something, that made Americans so much richer, better fed, whiter, more clean-cut, more modern and efficient.

Even in western Europe, whence many American Joes came, no modern plumbing, no autos for all, no supermarkets, little to eat or wear, and money not worth a cent. Of course, the war and all that. The United States should help these people to their feet. But not their way, un-American.





continued inflation, these were actually wage cuts. This had weakened the position of labor. [See *Henry Foner's discussion in section 24.*]

What were the economic strengths of organized labor in 1945, and its weaknesses?

The answers require a look back to the Roaring Twenties, the Great Depression, and the New Deal.

### **The Roaring Twenties: 1923 to 1929**

During the "prosperity" of 1923 to 1929, the productivity of U.S. labor increased by 30 percent while wages rose only slightly, if at all.<sup>1</sup> Moreover, during this period the Republican Secretary of the Treasury, Andrew Mellon, pursued a fiscal policy of reducing income taxes. This left the federal government with few reserves to meet the economic crisis, even if it had decided to act to save the people from the worst misery. Instead, the government proclaimed the morality of a do-nothing policy.

In 1929 the top 5 percent of the population received 30 percent of the national income, while the lower 40 percent received only 13 percent,<sup>2</sup> but unemployment was only 3.2 percent.<sup>3</sup>

Then came the Depression.

### **The Great Depression of 1929**

It is commonly held that the stock market crash in the fall of 1929 caused the "Great Depression," by far the most severe business crisis in the history of world capitalism. This was especially true of the United States where, at the depth of the crisis, unemployment rose to 25 percent of the work force. Moreover, U.S. workers faced misery with no cushions: no unemployment insurance, no social security, a situation worse than that of workers in some capitalist countries that had adopted these minimal reforms decades before. And most workers could not go back to a farm where they could at least work and feed their families, as in previous panics. Hovels made of cardboard and scrap sheet metal were constructed in "Hoovervilles" in all major U.S. cities; the residents raided garbage cans and lined up at soup kitchens.

Statistics from various sources indicate the depth of the Depression. Colonel Leonard Ayres compiled a chart of busi-

ness activity for the Cleveland Trust Co., which showed that business activity dropped as much as 95 percent from 1929 to 1932.<sup>4</sup> Between 1929 and 1933 the gross national product (GNP) dropped 29 percent, consumption dropped 18 percent, construction 78 percent, and investment 98 percent.<sup>5</sup>

The people elected Franklin Delano Roosevelt president in November, 1932. In the next few years, workers surged into unions in many areas. These were the years of the New Deal, and CIO Labor was able to establish unions in the major corporations producing steel, autos, rubber, and electrical machinery and appliances. Congress passed a Social Security Act in 1935.

None of this ended the Great Depression. Business activity increased slowly from the pit of 1932. For a brief period in 1937 it reached the level of 1929, only to drop by as much as 50 percent in 1938. In 1937 unemployment was still high, estimated to be 15 percent. The distribution of income as compared to 1929 had not changed much. In the period 1935-36, the top 5 percent of the population received 26.5 percent of the total income; the bottom 40 percent received only 13.3 percent.<sup>6</sup> This marked a drop from 1929 figures of 3.5 percent for the rich and an increase of 0.8 percent for the poor. If the Depression was caused in part by this great disparity in income, New Deal measures had not touched this problem. The organization of millions of workers into militant CIO unions had not done much along this line either.

## **U.S. Monopolies Before World War II**

Who owned basic industry in the United States before World War II? A handful of U.S. corporations. According to the Senate Committee on Small Business, in 1946:

- ♦ 0.1 percent of all the corporations owned 52 percent of the total corporate assets.
- ♦ 0.1 percent of all the corporations earned 50 percent of the total corporate net income.
- ♦ Less than 4 percent of all the manufacturing corporations earned 84 percent of all the net profits of all manufacturing corporations.

Industry by industry, the figures showed:

- ♦ The 45 largest transportation corporations owned 92 percent

of all the transportation facilities of the country.

- ♦ The 40 largest public-utility corporations owned more than 80 percent of the public-utility facilities. The 17 largest life-insurance companies accounted for over 81.5 percent of all the assets of all life-insurance companies.
- ♦ The 200 largest nonfinancial corporations owned about 55 percent of all the assets of all the nonfinancial corporations in the country.
- ♦ No less than 33 percent of the total value of all manufactured products was produced under conditions where the four largest producers of each individual product accounted for over 75 percent of the total United States output.<sup>7</sup>

Only 1.1 percent of all manufacturing corporations employed more than 500 workers, yet they produced 48 percent of the total output. Only 13 corporations employed one-third of all industrial research personnel.

The National Securities and Exchange Commission reported that 10,000 individuals owned one-half of all corporate stock. The 1,000 largest recipients of dividends received 10.4 percent of the total, and 61,000 persons received one-half.<sup>8</sup>

This was the situation in the United States when Hitler invaded western Europe as Japan invaded Asia.

## War, Wages, and Prices

The outbreak of World War II in 1939 stimulated recovery in the United States as we began producing war materials for Great Britain.

Employment in manufacturing increased almost 10 percent by the end of the year [1939]. Pay rolls rose 16 percent. The Federal Reserve index of industrial production, which stood at 106 percent of the 1935-39 average in August, rose to 125 in December . . . exceeding the peak level of 1929 by 9 percent.<sup>9</sup>

After the attack on Pearl Harbor in December 1941, U.S. production proceeded at a hectic pace. From 1939 to 1942 the GNP rose almost 75 percent (and to over 130 percent by 1944).<sup>10</sup> As the war continued, civilian unemployment dropped to 1.2 percent in 1944<sup>11</sup> as over 11 million men and women were taken out of the work force and mobilized into the U.S. armed services.<sup>12</sup>

A note should be made here regarding the success World War made of our economy, as opposed to the measures of the

New Deal. The United States spent \$341 billion on fighting the war.<sup>13</sup>

This dramatic boost in production suddenly resulted in a scarcity of workers, so overtime became common. In the years from 1939 to 1944, the average work week increased from 37.7 hours to 45.2 hours in manufacturing, from 32.4 to 39.5 hours in construction, and from 32.3 to 43.9 hours in mining. Labor also worked harder, which was an important factor in the increase in productivity that took place.<sup>14</sup>

Attempts were made to establish wage and price controls even before Pearl Harbor. President Roosevelt established the Office of Price Administration (OPA) as an executive agency in August 1941. The OPA made a projection for 1942, after the U.S. had entered the war<sup>15</sup> [See Table 1.]

With \$17 billion burning the pockets of frustrated consumers, corporations would obviously raise prices on the available goods by \$17 billion, if left to their own "free market" devices. To prevent such a massive rip-off in wartime, the government decided it must encourage the sale of bonds even more. And it must also establish controls on prices.

### The No-Strike Pledge

As in similar situations in the U.S. past, the government found it easier to impose restrictions (controls) on wages than on prices. This was due, in part, to patriotic unions giving up their main weapon for increasing wages—going on strike. FDR and others put pressure on unions to accept no-strike policy even before the United States entered the war. Nearly all the

♦♦ TABLE 1: OPA PROJECTIONS—1942 ♦♦

Category	Amount
Total national income	\$117 billion
Returned to the government in taxes, war bonds, and stamps	<u>-\$ 31 billion</u>
Available for purchasing goods	\$ 86 billion
Available goods to purchase	<u>-\$ 69 billion</u>
Inflationary gap	\$ 17 billion

national union leadership responded favorably, one notable exception being John L. Lewis and the United Mine Workers (UMW).

The no-strike pledge was made before workers in all basic industries had been organized into unions. Although Congress had passed the National Labor Relations Act in 1935, the giant industrial corporations had bitterly resisted recognizing unions for many years. Strikes had been a major tactic in many union organizing drives, as it was at the Ford Motor Co., which held out until April 1941. In that case, the no-strike pledge was overlooked, and Ford finally had to recognize the UAW.

Not so with the aviation companies on the West Coast. In June 1941 a strike broke out spontaneously at the North American Aviation Co., where many workers received the minimum wage of 50 cents an hour. The strike was immediately condemned by the U.S. government and by the national leadership of the UAW as an unauthorized, "wild-cat" strike. But the militancy of the strikers could not be deterred by an order to return to work. Indeed, such an order only incensed the workers, and when a large contingent of police tried to escort scabs into the plant, they were beaten back. The government called out federal troops to halt the strike, a clear case of strike-breaking by the Roosevelt administration.

After this incident, and throughout the war, the total work time lost was only 0.1 percent of the total working time (1943-44).<sup>16</sup> This is a measure of the patriotism of workers in the United States. A few scattered strikes, mostly by the UMW, were caused by major grievances.

Without resorting to strikes, labor tried to raise wages to keep up with inflation. In 1942, 180,000 steel workers in the smaller steel plants appealed to the War Labor Board for a one dollar a day pay raise. The Board approved a 15 percent raise, amounting to 44 cents a day. This was the infamous "Little Steel" formula, which unions frequently contested; but the Board never gave way. In fact, the Board knew that the ruling was unfair in many instances, but it refused to retreat. Instead, the Board tried to soften the blow by permitting additional pay for overtime, vacations with pay, and other side benefits.<sup>17</sup>

The response to a limit on wages was in sharp contrast to the reaction to President Roosevelt's proposal to limit earnings to \$25,000 a year. This was greeted with derision by Big Business and was never pursued by the administration.

Inflation was not well controlled during the war. Taking 1939 as the standard, overall prices rose 25 percent by 1943, while food prices rose 45 percent. By 1947 prices were 61 percent over 1939, and food prices more than doubled. Inflation normally bears down hardest on the poor, and this did not change during World War II, since food prices increased faster than other prices.<sup>18</sup>

### Government Spending on War Plants

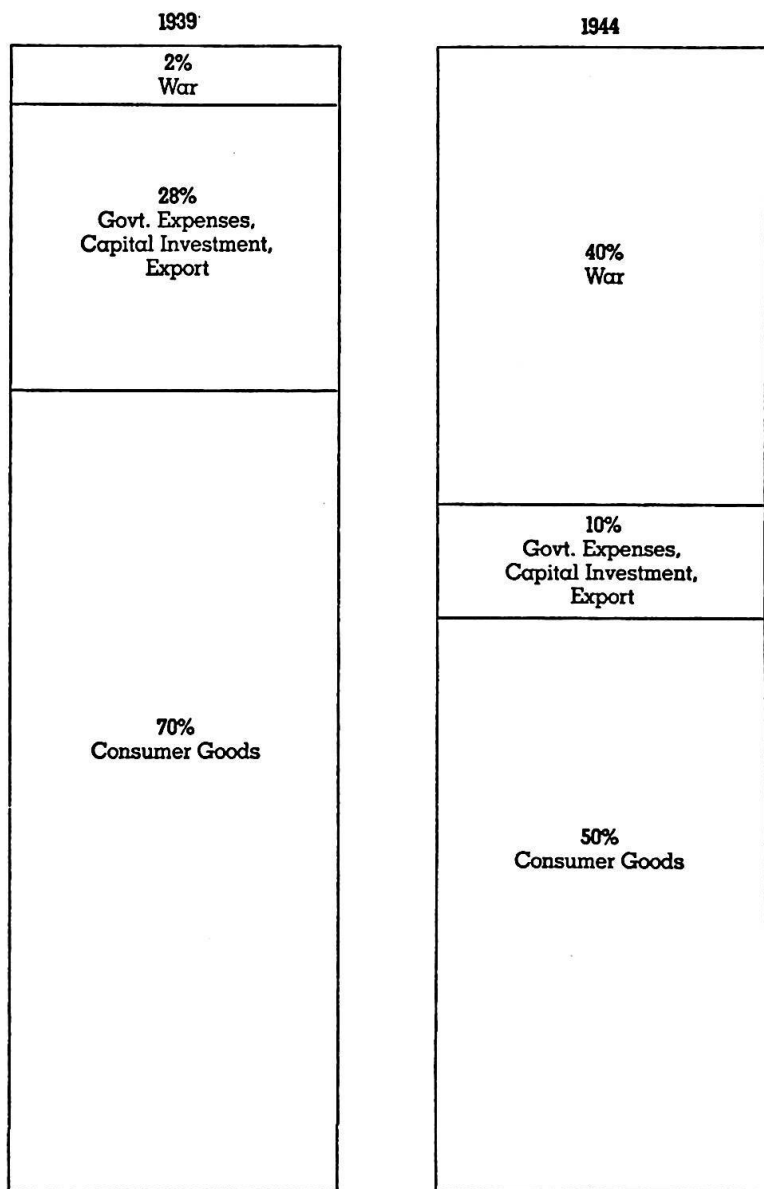
The United States converted to war production immediately after Pearl Harbor. On January 7, 1942, the Defense Plants Corporation was established. Existing plants were converted to war production, often by extending facilities, and many new plants were built for the same purpose. The federal government spent \$16 billion in the construction of war plants and over 80 percent of all new construction was financed by the federal government.<sup>19</sup>

Much experience had been gained in producing war materials for Great Britain, and when the United States entered the war the whole program proceeded at a great and unexpected pace. The auto industry converted almost entirely to the manufacture of trucks, tanks, jeeps, and airplanes. Industrial production increased 118 percent between 1939 and 1944, while durable goods soared 238 percent.<sup>20</sup>

In 1939 less than 2 percent of production was devoted to war, 74 percent went into consumer goods, and 25 percent into government expenses, capital investment, and export. By 1944 war production amounted to 42 percent of all production, while consumer goods accounted for 51 percent. Yet due to the increase in production, personal consumption still increased by 16 percent. [*See U.S. Production Graph.*]

In its five years of war effort, the federal government spent \$186 billion on munitions and other war materials. At the time of Pearl Harbor, the armed forces had 1,157 planes; during the war 297,000 planes were produced, as well as 86,000 tanks, 17.4 million small arms, and thousands of naval vessels, cargo ships, and transports.<sup>21</sup>

## U.S. Production



Because of rounding, figures shown may not add correctly to actual totals.

SOURCE: Economic Report of the President, 1984, pp. 110-222.





this amount. These facilities were not completely expendable war equipment; at least \$20 billion of the total could be converted to peacetime production.<sup>26</sup>

As a result of these government policies, the trend toward mergers increased during the war years:

<b>Year</b>	<b>1939</b>	<b>1940</b>	<b>1941</b>	<b>1942</b>	<b>1943</b>	<b>1944</b>	<b>1945</b>	<b>1946</b>
<b>Mergers</b>	87	140	111	118	213	324	333	419

Of these mergers 24.4 percent occurred in the iron and steel industries; 19 percent in the food and liquor industries; and 10.2 percent in chemicals.<sup>27</sup>

## Taxing Workers to Pay for the War

Few workers' families paid taxes before the war. In 1939 the tax exemption for a married couple was \$2,500, and a further 10 percent deduction was allowed for earned income. Not many working class families earned more than the exemptions in 1939, and the tax rate for the lowest taxable income group was 4 percent.<sup>28</sup> In 1939 there were only 7,570,320 returns filed.<sup>29</sup>

Personal income taxes increased tremendously during the war, falling especially hard on lower income groups. Between 1939 and 1946, federal income taxes increased 1800 percent. Corporate taxes increased a comparatively low 400 percent. Social Security taxes more than doubled. Excess profits taxes actually declined by 29 percent between 1945 and 1946. [See Table 3.]

♦♦ TABLE 3: WHO PAID TAXES ♦♦

Type of federal tax	1939 (in millions, for fiscal year ended June 30)	1945	1946
Individual income	\$1,029	\$19,034	\$18,705
Corporate income	1,123	4,879	4,640
Social security	740	1,779	1,700
Corporate excess-profit	.....	11,004	7,822

Source: *Labor Fact Book* 8, p. 34.

Even these crude figures show that lower income families, including a majority of the the workers, paid the greater share of the taxes. By 1945, 49,932,783 people filed tax returns, up from 7,570,320 in 1939.<sup>30</sup>

In addition, the tax rate for the lowest taxable group rose to 19 percent by 1946, an increase of 5 times.<sup>31</sup> Assuming that the highest income group, the top 20 percent, were taxed at only 25 percent of their income, a four-fold increase in their taxes would amount to 100 percent confiscation. Of course, no such increase was made in their taxes. At most, their taxes were doubled, while workers' taxes were increased five-fold.

### Working Workers Harder During the War

Amazing feats of production and organization took place during the war, which helped defeat fascism as well as make enormous profits for big business. The railroads, for example, carried 2½ times more ton-miles of freight and 4½ times more passenger traffic in 1944 than they had in 1929. This was accomplished with almost no increase in the number of locomotives from 1939, and with only a slight increase in the number of passenger cars. The aluminum industry caught up with its greatly-expanded war needs by the end of 1942.<sup>32</sup>

The patriotism of the workers and their self-discipline were essential factors in this tremendous advance. However, this display of energy and initiative did not help the lower income groups very much in relation to the higher income groups. Looking at the distribution of income by fifths, the picture is clear. [See Table 4]

♦♦ TABLE 4: PERCENTAGE OF INCOME RECEIVED  
BY U.S. FAMILIES AND INDIVIDUALS ♦♦

	1941 <sup>33</sup>	1947 <sup>34</sup>
Lowest fifth	4%	5%
Second fifth	10%	12%
Middle fifth	15%	17%
Fourth fifth	22%	23%
Highest fifth	49%	43%
Top 5%	24%	18%

## Who Owned U.S. Factories in 1945

At the end of the war, the federal government owned over 90 percent of the facilities for producing synthetic rubber, magnesium, and airplanes; 70 percent of the facilities for the production of aluminum; and 50 percent of facilities in the machine tool industry. Plants for high octane gasoline, chemicals, and steel were built, and 3,800 miles of oil pipeline laid, all at government expense.<sup>35</sup>

Roughly two-thirds of the industrial facilities added during the war were provided directly by federal funds. Who operated these government-built plants? One hundred corporations.<sup>36</sup>

Additionally, the 250 largest manufacturing corporations, which owned and operated before the war 65% of the nation's manufacturing facilities, operated during the war 79% of the new, privately-operated plant facilities built with federal funds. And these same companies up to June 30, 1946, had acquired 70 percent, in value, of the total surplus plants disposed of by the government. The price paid for these plants averaged about 60 percent of their original cost, some of the biggest being sold for less than this percentage.<sup>37</sup>

Six giant corporations acquired 48 percent of the plants, namely: U.S. Steel, International Harvester, Allied Chemical and Dye, General Electric, General Motors, and Bethlehem Steel.<sup>38</sup>

## Conversion to Peacetime

With the war's end came the problems of conversion to a peace economy. The first notable effect was the sudden cancellation of orders for military equipment, causing a severe, temporary drop in production. Industrial production in 1945 was over twice that in 1939. If taken by quarters in 1945, production averaged 235 percent in the first quarter, 225 percent in the second, 188 percent in the third, and 164 percent in the last.<sup>39</sup>

The end of the war in Europe started the decline in U.S. production, and it became worse after the defeat of Japan and the war's termination. The decline continued in 1946, falling to 160 percent in the first quarter, 165 percent in the second, 176 percent in the third, and 181 percent in the fourth, indicating a slight rise in the last half of the year. Reconversion to civilian production continued very rapidly in 1947 and was practically complete before the year was over.<sup>40</sup>

Several factors kept employment relatively steady during the year following the war. Demobilization did not proceed so rapidly as to cause an avalanche of the jobless flooding the labor market. Congress passed G.I. bills providing educational opportunities for returning veterans, and four million ex-soldiers took advantage of them, thus staying out of the labor market. Wartime priorities had so restricted production of civilian goods that there was a tremendous backlog of consumer demands, especially in such large items as autos and large appliances. Big business was fully prepared to take advantage of these extraordinarily favorable conditions for a business boom. In 1947 and 1948 business activity averaged between 82 and 89 percent above that of 1939, only some 15 percent below the war-time peak.<sup>41</sup>

So labor's fears that the end of the war would bring mass unemployment proved unjustified. But labor's fears that employers would refuse to raise wages were realistic. Workers went on strike in massive numbers in the year following Japan's surrender. 1946 was an intense year for labor with an historic 5,000 work stoppages involving 4.6 million workers.<sup>42</sup> These massive strikes were remarkable for their nonviolent character.

However, the strikes had little effect on the course of inflation, and the wage increases never caught up with it. Between 1945 and 1948 the Consumer Price Index rose 33.7 percent,<sup>43</sup> while nonagricultural nonsupervisory workers' wages rose only 10.3 percent.<sup>44</sup> As labor made these modest gains through strikes and other actions, the American public again blamed labor for high prices and inflation.<sup>45</sup> Yet corporate profits during this same period rose a full 54.7 percent.<sup>46</sup>

Despite these facts, the Republican Congress elected in 1946 decided with impunity to put an end to workers striking. Feeling that the balance of bargaining power had shifted from employers to labor, it passed the infamous Taft-Hartley Act in 1947.

## **Recession Hit in 1949**

Even with these favorable market conditions, supply soon reached a saturation point and a recession occurred in the first months of 1949.

Between 1948 and 1949, production had fallen by 6 percent,<sup>47</sup> and in 1949 unemployment rose to a postwar high of 5.9

percent, while black unemployment was at 8.9 percent and rising.<sup>48</sup> Business leaders and economists anticipated even greater declines unless exports increased greatly. This sort of thinking led to the Marshall Plan [see section 36]. Although United States production in 1948 was 90 percent higher than in 1929, net exports in real terms were an astounding 192 percent higher.<sup>49</sup> These facts more than all the rhetoric explain the real motives behind the Marshall Plan.

An analysis of the government's budget expenditures clarifies the course of the economy. [See Tables 5 and 6.]

♦♦ TABLE 5: U.S. GOVERNMENT BUDGET EXPENDITURES ♦♦

Outlays by Major Function	Millions of Dollars					
	1940	1945	1946	1947	1948	1949
National defense	1,660	82,965	42,681	12,808	9,105	13,150
International affairs	51	1,913	1,935	5,791	4,566	6,052
Veterans benefits & services	570	110	2,465	6,344	6,457	6,599
Social security & medicare	28	267	358	466	558	657
Net interest	899	3,112	4,111	4,204	4,341	4,523
TOTAL BUDGET EXPENDITURES	9,468	92,712	55,232	34,496	29,764	38,835
(Not all functions are listed above)						

♦♦ TABLE 6: U.S. GOVERNMENT BUDGET EXPENDITURES ♦♦

	Percentages					
	1940	1945	1946	1947	1948	1949
National defense	7.5	89.5	77.3	37.2	31.6	37.9
International affairs	0.5	2.2	5.5	16.8	15.4	15.6
Veterans benefits & services	4.0	0.1	4.5	18.4	21.7	17.0
Social security & medicare	0.3	0.3	0.6	1.4	1.9	1.7
Net interest	9.5	3.4	7.5	2.2	4.6	3.6

Source: Executive Office of the President Office of Management and Budget, *Historical Budget of the United States Government, 1986* (Washington, D.C.: GPO, 1985), p. 3.2(1).

*Editors' note: For later developments in the economy, see section 40.*

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## THE ATTACKS BEGIN

Part Three describes the beginning of the combined assault by big business, President Truman, and Congress, which led to the beginning of a union fight-back in the courts and at the polls. This meant a fourth force was needed to bring left and progressive labor to its knees: the CIO had to attack its own unions. It was a bitter, bloody time, 1946-1950, marked by loyalty oaths, blacklists, and agonizing sessions before Congressional witch-hunting committees. Those who took opposite sides in these pitched political battles frequently opposed each other in ongoing struggles between advocates of union democracy and racketeers. By decade's end, the militant CIO dismembered itself, only a dozen years after its glorious organizing drives of the 1930s.

## 26 ♦♦ THE ATTORNEY GENERAL DENOUNCES A PLOT

### ♦♦The Editors♦♦

In the spring of 1946, the new Attorney General of the United States, Tom Clark, made a significant speech to the American Bar Association. First he dealt with the campaign by the NAACP, many labor unions, the National Lawyers Guild, and a broad coalition to stop lynchings and all assaults against Black people by getting the government to enforce the 14th Amendment's equal protection clause. He denied that the federal government had power to do much to protect the civil rights of Black people when they were attacked by state officials.

Then he got to the meat of his speech. He charged that the U.S. is the target of a sinister and deep-seated "plot" on the part of "Communists, outside ideologists, [and] small groups of radicals," directed at the seizure of our country through a division of national unity. This objective is being forwarded through the capture of important offices in labor unions, fomenting strikes, and raising of barriers to efforts of lawful authorities to maintain civil peace. He said he had been told that in the councils of many labor unions "wherein deliberations are screened from the public," these "plotters" connive to seize power and to protest that civil rights of minority groups are being abridged. Clark cautioned lawyers:

[W]e must be alert as officers of the court to see the difference

between sincere and honest protest of groups of our citizens against injustice and the effort of these outside ideologists to stir up trouble according to the old plan of "divide and rule."

One year after the United States, Great Britain, France, China, the Soviet Union, and the other Allies defeated the fascist powers, the attorney general said bluntly of fascism and communism: "I see no difference in them."

## 27 ♦♦ THE CIO HOLDS ITS 1946 CONVENTION

### PRESIDENT MURRAY'S SPECIAL COMMITTEE

♦♦ Ben Gold ♦♦

*Ben Gold led the fur workers in their historic 17-week strike in 1926. In 1937, he was elected president of the International Fur & Leather Workers Union, a founding CIO union. He continued to hold this position in 1946.*

*This section is drawn from Gold's Memoirs (New York: William Howard Publishers, 1984), published with permission of the late author. See additional excerpts in sections 31, 37 and 51.*

At the 1946 Steel Workers convention, President Murray said: "We don't ask anyone what his nationality is, nor his color, his religion, or his beliefs. It is enough for us that he is a steel worker and he believes in trade unionism." And at the Auto Workers convention in 1946, Murray made a speech in which he said basically the same thing.

At all these gatherings, President Murray's speeches were greeted with enthusiastic storms of applause from the workers. His prestige grew. His leadership was blessed by the millions of workers who were getting ready for the fight against the reactionary wave that was covering "the land of the free and the home of the brave."

But they were to suffer bitter disappointment.

In 1946, the cost of living rose rapidly. The price of food alone rose 30 percent. The CIO unions fought for higher wages. Strikes broke out.

The bosses mobilized their armies to protect their profits and their power against the aggressive onslaught of millions of workers. Attacks against the working class came like a hailstorm all over the country. The lackeys of the bosses in government and in the newspapers began a heated campaign against the Communists who "agitate and incite the workers to demand higher wages and who carry out strikes in order to ruin American industries."

And the mighty, organized, reactionary agents of the bosses—the poisonous enemies of the workers—demanded that the CIO throw the Communists out of its ranks. Those dishonest reactionaries who occupied important positions within the CIO also began howling that the Communists must be excluded from the CIO in order to save the CIO.

The atmosphere in and around the CIO became heated. In 1946 President Philip Murray, who was elected when John L. Lewis resigned, appointed a special committee of six union presidents to deal with the serious problems within the CIO. The committee consisted of three right-wing union presidents—all well-known anti-Communists—and three left-wing union presidents. The right-wing presidents were Emil Rieve, president of the Textile Workers Union, the representative of the Newspaper Guild, and Walter Reuther of the United Auto Workers. The left-wing presidents were Joseph Selly of the American Communications Association, Abram Flaxer of the United Public Workers, both intelligent, capable and progressive union leaders, and the Communist, Ben Gold.

As soon as the meeting of the Committee started, Walter Reuther involved me in a sharp debate. President Murray said nothing, and the others did not take part in this war of words between Reuther and myself.

Reuther opened the debate with a sharp attack on the Communists. He emphasized that they were a disaster in the unions, because they organized and led oppositions against the duly-elected officers of the unions, carried on vicious propaganda for the purpose of discrediting these union leaders, and hindered the constructive activities of the union. He also said they agitated among the workers to vote against every settlement that the union leaders reached with their factory managers; that they put forward fantastic demands they knew were impossible to accomplish.

It was his opinion that at this time, when the CIO was being attacked by the powerful enemies outside its ranks, the first

thing it should do was to free itself from its internal enemies, the Communists. This would enable the CIO leadership to show the entire world that the accusation made by the reactionaries that the CIO was dominated by Communists was untrue. Secondly, it would enable the union leaderships to unite the millions of union members, without hindrance, in their struggle for the interests of the workers.

As you can well understand, he did not get away without an answer from me. I told him that he should ask President Murray, and Murray would tell him that the Communists had distinguished themselves by their untiring devotion to the task of helping to organize the steel workers, the automobile workers, the mine, mill and smelter workers, the electrical workers, and other workers, when the CIO was first born. Then I enlightened him by explaining that the reason the reactionary strike-breakers and union-busters were carrying on their propaganda all over the country—the reason that the CIO was flooded with Communists who were inciting the workers to strike for higher wages—was that the reactionary leaders would do anything to break the solidarity of the workers and cause splits in the CIO.

“And you, Walter Reuther, are demanding that the Communists be expelled from the unions! You know very well that the Communists in every union are connected with progressive workers, with workers who are left-wingers but who are not Communists, and that they have many followers among the workers who will fight bitterly against the ‘exclusion’ plan! Split the ranks of the workers! Cause bitter struggles within the unions! The bosses will bless you for your plan. Their well-paid reactionary servants who howl ‘Communist unions’ will bless you because your plan will help them accomplish their goal.”

The debate between Reuther and myself got hotter and hotter, and President Murray found it necessary to close the meeting and to invite the committee to a second meeting on Sunday morning.

## **The Sunday Meeting**

President Murray opened the Sunday meeting. He told us that he had awakened that morning while it was still dark, and had gone to church in order to be one of the first worshippers there, to pray to Almighty God to lead him and those committed to

him along the path of truth and justice for the millions of wronged workers. When he left the church, he said, he had a feeling of deep conviction that the committee, which was made up of devoted union leaders, would fulfill its duty to those who had elected them and who trusted them.

When Murray had finished his short speech, Reuther hastened to explain that the absolute necessity of excluding the Communists from the unions in the CIO did not mean that they must be excluded from working in the factories. "No," he said, "such a punishment for workers who are the victims of false theories and philosophies is inhumane. They must be permitted to remain at their jobs in the factories. But in the interests of the workers, they must be excluded from the unions."

I wanted to avoid another heated debate with Reuther, so I asked a few questions: "Will the Communists who are excluded from the unions have to pay dues to the union? Will the business agents protect the excluded workers from unfair treatment by their foremen? If the excluded workers should be arrested during a strike while on the picket line, will the union defend them? If they should be beaten up by the police, would they be entitled to medical assistance from the union? Will they be entitled to strike benefits? What will Reuther do if these excluded workers quietly or secretly agitate the workers to demand higher wages or better working conditions? Will he be able to avoid fights in the factories between workers who have been poisoned by anti-Semitism and anti-Communism and the condemned Communists, who have lost their rights?" And other such questions.

Reuther tried to answer my questions, but he spoke in circles, using double-talk. He concluded with a statement that "for their own personal interests," the excluded workers would "discipline themselves and respect the union leaders."

I answered him: "In many unions, there are probably often differences of opinion between the Communists and the anti-Communist leaders, but never with the kind of venom I hear from you. In many unions, in Mine-Mill, for example, and in the UE, the Communists are very active and hold important positions in the unions; and in some unions, the Communists are united with union leaders who are opposed to the Communists. Why has the united front between the Communists and the anti-Communist union leaders existed so long in the Fur and Leather Workers Union, and how has this united leadership managed to be quite successful in its achievements?"



Your friends, Walter, say that you are a capable leader, so I am asking you: Can't you establish united fronts with the Communists that would serve the interests of the workers?"

Reuther got very angry and said that a united front with the Communists was a swindle tactic which the Communists used all the time for the purpose of eliminating the anti-Communist union leaders. In the Shoe Workers Union, he said, the Communists had managed to fool the president, Morgan, into joining a united front, and then they had discredited him, besmirched his name, and chased him out of the union.

"No! No! That is not true!" President Murray shouted. "Walter, you don't know what you are talking about! Morgan was a thief! A thief! Do you hear me? Morgan was a thief!"

Reuther remained seated as if he had just been slapped in the face. He said nothing more after that. Murray's thundering words had destroyed his entire accusation against the Communists and had demolished his plan to exclude them from the unions.

I also remained silent. The debate had ended with a crash!

Then President Murray said that the CIO had been born during an unfortunate period when millions of hungry, jobless people had become beggars. Our enemies had attacked us. David Dubinsky and his friends had betrayed us and had run into the enemy camp. But our struggle to organize the millions of workers, and our fight for justice for the millions of workers who enrich our land with their sweat and blood, had triumphed. In the present crisis, the CIO would fulfill its obligations and defeat the enemies of the workers, "and I have no doubt that our fight for justice will triumph again."

And the meeting of the committee of the six union presidents ended.

The 1946 CIO convention, under President Murray's leadership, unanimously approved a resolution that raised the CIO to the level of one of the most progressive labor organizations in the world. The resolution directed the CIO to fight against anti-Semitism, against anti-Negro discrimination; for higher wages; for peace and against war and war preparations; for unity between the United States, England and the Soviet Union; and against the reactionary anti-labor laws.

At the convention, Murray answered a speech made by Alexander Winter, the president of the Railroad Workers Union. "I tell you," Murray said, "no one will divide the mighty CIO organization. It was and will remain a united movement. We have

our differences of opinion—that is good for the health. If we were to be ruled by only one opinion, we would get rusty.”

## BEHIND THE 1946 CIO DECLARATION

♦♦ Len De Caux ♦♦

*For author and source notes, see section 18.*

The CIO convention in November 1946 at Atlantic City pointedly strengthened Murray's Steel formula. It declared:

We resent and reject efforts of the Communist party or other political parties and their adherents to interfere in the affairs of the CIO. This convention serves notice that we will not tolerate such interference.

This time there was no assurance against purges and witch hunts; on the contrary, accompanying action foreshadowed them. The most Murray would say was that the declaration “should not be misconstrued to be a repressive measure,” nor taken to mean “this organization is going to engage itself in diabolical pursuits.”

To put teeth in the declaration, the executive board amended CIO rules governing Industrial Union Councils, to tighten control over these state and city bodies, requiring that they conform to “CIO policy” and not cooperate with “national organizations not recognized by the CIO.”

A committee on which rights and lefts were equally represented took three days to work out the 1946 CIO declaration. The executive board and then the convention adopted it unanimously. As with the 1940 “antitotalitarian” resolution, right-wingers crowed at the spectacle of Communists and left-wingers helping prepare and support an anti-communist declaration.

There was some method in the meekness of the lefts. They had to retreat under conditions that threatened a rout. To preserve the unity of a still relatively progressive CIO, they continued to make concessions as they had done since CIO began. They valued their CIO status for themselves and their unions. One thing was certain. The lefts didn't “start anything.” All aggression came from the right.

The national CIO office at once began using the 1946 package to move in on left-led Councils. If it couldn't aid the right-wing faction to take over by ostensibly democratic means, it

could overrule the majority, suspend the Council, have an administrator appointed.

In the matter of "national organizations not recognized by the CIO," the national office paralleled Attorney General Tom Clark's blacklist of allegedly "subversive" organizations promoting black and civil rights, opposing war and fascism, defending foreign-born and political prisoners. It made a small list of CIO-recognized organizations deemed pure of leftist taint—thus relegating all others to an unwritten blacklist.

This was shrewd strategy. The "anti-communist" campaign in which Murray now joined the Truman administration was directed against much more than the communists—against all opposition to the imperialist policy labeled Cold War, with its aggression abroad and its repression at home.

# **28 ♦♦ BIG BUSINESS AND GOVERNMENT UNLEASH TAFT- HARTLEY**

## **THE NAM WRITES A BILL**

### **♦♦ The Editors ♦♦**

In 1947, the National Association of Manufacturers boasted that it spent \$3,600,000 on propaganda. Its goal? To pass the Taft-Hartley bill and make major changes in the National Labor Relations Act of 1935. "The bill was written sentence by sentence, paragraph by paragraph, page by page, by the National Association of Manufacturers," according to Rep. Donald L. O'Toole (D-NY). The NAM consisted of 16,500 industrial corporations controlling assets of many billions of dollars in 1947. Sixty companies dominated its policies.

- ♦ for the open shop
- ♦ against laws prohibiting child labor
- ♦ against social security and old age insurance
- ♦ against public health laws
- ♦ against a minimum wage law

Senator Robert A. Taft (R-Ohio) said of his creation: "The bill... covers about three-quarters of the matters pressed upon us very strenuously by the employers." The bill followed on the heels of President Truman's Federal Employees Loyalty Program, requiring federal workers to take an oath that they

were not "subversive." It would fundamentally change the Wagner Act, passed during the New Deal to carry out the demand of workers to protect themselves from employer interference with their fundamental right to join unions. T-H opponents and supporters listed these changes; it would:

1. Restrict unions in organizing, plant elections, strikes, and political action.
2. Give "equal" protection to the "right" of employers to oppose unions "because the Wagner Act gave workers protection to organize unions."
3. Outlaw the closed shop, where only union members could be hired.
4. Permit employers to sue unions for damages.
5. Forbid unions from making political contributions.
6. Impose a 60-day "cooling off" period after a union decided to strike before it could hit the bricks.
7. Forbid "secondary" activity, barring one union from exercising economic pressure on behalf of another union, or from reaching allies of a struck employer to seek support for the union.
8. Remove the Conciliation Service from the Department of Labor and place its functions in an independent agency, the Federal Mediation and Conciliation Service.

Finally, Section 9(h) of the Act would deny any union the right to use the National Labor Relations Board unless its officers filed an annual affidavit with the board that the officer

- ♦ was not a member of the Communist Party,
- ♦ was not affiliated with it, and
- ♦ did not believe in, was not a member of or support any organization that believed in or taught the overthrow of the U.S. government "by force or by any illegal or unconstitutional methods."

Every union officer would have to sign this loyalty oath. Corporate officers had to sign nothing. And, as the *AFL Pattern Makers' Journal* pointed out:

... by inference the majority members of the Eightieth Congress gave a clean bill of health to Fascism and Nazism by failing to include them among the dictatorships to be disclaimed by both employers and employees.

Section 9(h) specifically said that a union could not obtain a remedy against an employer's unfair labor practices if it

elected any Communist Party members to office. The bill said a union that elected Communist officers could not participate in an NLRB election leading to its certification as the collective bargaining representative of workers if the majority voted for the union. More than that. Many non-Communists as well as Communists didn't like loyalty oaths. If any union officer—Communist, liberal Democrat or whatever—refused to sign an oath, the union was out in the cold.

The authors of the bill said the reason for the non-Communist oath was fear of "political strikes."

In order to drum up support for the bill, the House Committee on Education and Labor held hearings. One ex-Communist testified that some Communist union officers had called a "political strike" at Allis-Chalmers defense plant solely in obedience to Communist Party orders. This was supposed to have occurred in Milwaukee in 1941, and the purpose was said to be the snowballing of strikes in defense plants.

In fact, militant workers voted to strike several factories making airplanes and other military materials in 1940 and '41. The strikes occurred while the United States was at peace. They were the natural outcome of workers watching employers lap up profits from government cost-plus contracts while the workers got no wage increases. To make it worse, the new plants were often built with government money.

And nobody in government in 1947 wanted to talk about a couple of real political strikes, like when a Nazi ship came into the port of San Francisco in 1938 and the International Longshoremen's and Warehousemen's Union had a short strike in protest. Or when, early in 1941, the Chinese people of San Francisco, and many others including the lieutenant governor, came down to the port and picketed against scrap iron being sent to Japan, a country which had been invading China for a decade. The longshoremen respected the picketline, and "there was a big how-de-do about that," according to Archie Brown, of the ILWU, and a Communist. Brown knew the "political strike" charge was phoney, and said so at the time:

Our union has always had a democratic constitution, and I was only one of thirty-five members on the local-union executive board. I couldn't call a political strike if I wanted to. Furthermore, any strike is a coastwide issue. The question would have to go to the international executive board, and everybody else would have to look at it. It's impossible for one man or one party to call a political strike.



millions of workers to protest against this danger.

I requested that the CIO call out the workers for one day, or even for a few hours, on a general work stoppage before Congress would be voting on the bill.

President Murray did not support my suggestion.

♦♦Ben Gold, President, IFLWU-CIO♦♦

## WHAT T-H GIVES TO WORKERS

♦♦Vito Marcantonio♦♦

*Vito Marcantonio was elected to Congress seven times by New Yorkers living in East Harlem, from 1934 to 1950. From 1938 on, he was the candidate of the American Labor Party, sometimes also running (and winning) in the Democratic and Republican primaries.*

*An exciting collection of his debates, speeches and writings is published in I Vote My Conscience, selected and edited by Annette T. Rubinstein and Associates (The Vito Marcantonio Memorial 1956).*

*The following excerpt is from Marcantonio's speech to the House on April 15, 1947 opposing the Labor Management Act of 1947 (HR 3020), which came to be known as Taft-Hartley.*

What is your justification for this legislation? Oh, you say you are going to give certain rights, a new bill of rights to the American worker. What are you giving him? . . .

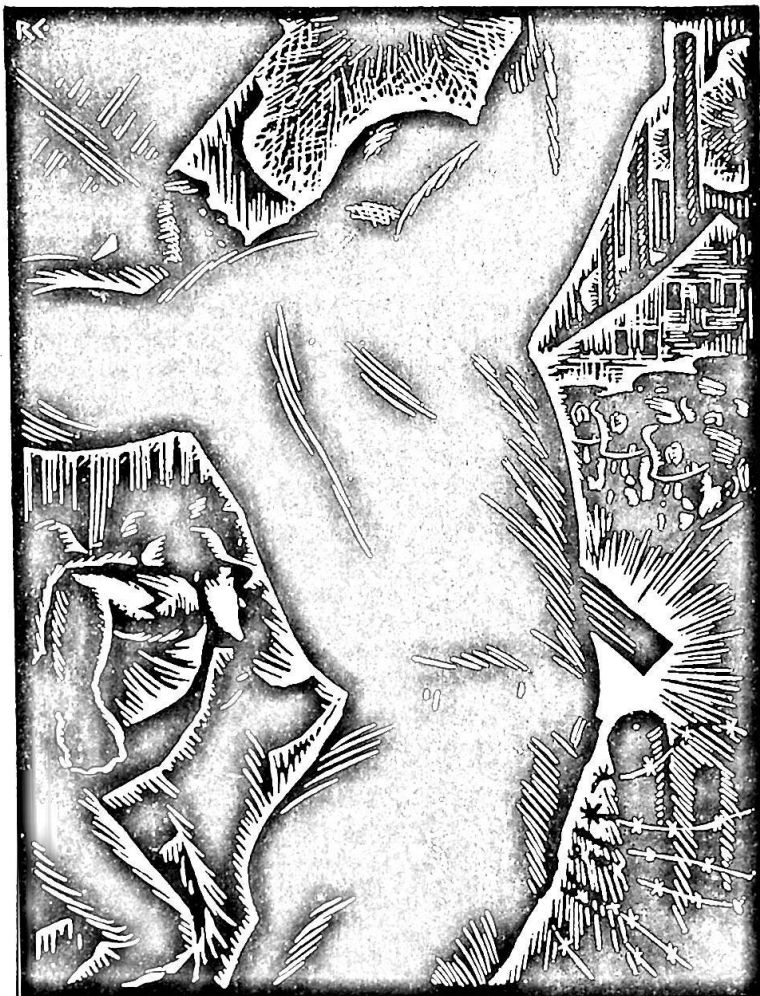
You are making him free to be exploited. You are making him free to be forced to work for lower wages. You are making him free to be forced to work long hours. You are making him free—and impotent to defend himself against any attempt by industry to subject him to the same working conditions that existed in these United States 75 years ago. . . You are giving him freedom to be subjected to the injunction, to the yellow-dog contract, to company unions, to the vilest form of exploitation. In the name of freedom and a new bill of rights you destroy his rights, his unions, his strength, and his real freedom.

You may pass this legislation, but you will not fool American wage earners. They know that their union and their rights that you now seek to destroy have been and are their best guarantee and bill of rights for freedom and economic security.

The whole philosophy of industrial relationship based on equality of bargaining is destroyed by this legislation. You say



♦♦ FOR LABOR'S RIGHT TO ORGANIZE ♦♦



This linoleum block print first appeared in the September 1934 issue of *New Masses*.

♦♦ Credit: Richard Correll.

that you are going to do this to get rid of the Communists in the unions, to get rid of the racketeers. Let us see. Under the guise of fighting communism you are with this legislation advancing fascism on American labor. That is just what you are doing, and again, you cannot get away from it.

[L]et us see [who] are the real racketeers. When we consider the spiraling in prices, the spiraling of the cost of living which has increased 50 percent since last June, we find that real racketeers are the gentlemen who asked for free enterprise in order to raise prices. By free enterprise they meant freedom to charge whatever prices they pleased, and to pay whatever wages they wanted to pay. . . . They made billions and billions of dollars in wartime. Now these are the men who are destroying the purchasing power of the American people and seek to destroy the rights of American workers.

## WHAT RIGHT WINGERS LIKE ABOUT T-H

In June 1947, Philip Murray asked me to resign as CIO editor and publicity chief. He would explain no more than that he was "not satisfied."

I became impatient and asked why he didn't come right out and say I was too red for him.

"No, no, no," he said, shaking his head. "I'm not concerned with a man's thoughts or beliefs."

But he obviously was. In fact, the Taft-Hartley non-Communist affidavits were more than a gimmick to snag the act. They were, in a broad sense, the key to labor's submission to it. The affidavit clause gave Taft-Hartley an anticommunist aura and betrayed its link with the Cold War foreign policy. It was also a useful tool for right-wing union factions.

Right-wing union leaders disliked many Taft-Hartley restrictions, but learned to live with them. What they liked was the act's anticommunism. The affidavits would help them to squelch inner-union opposition and to raid left-wing unions.

♦♦**Len De Caux**

## 29 ♦ THE ATTORNEY GENERAL'S SUBVERSIVE LIST

*On November 24, 1947, pursuant to Truman's loyalty order, Attorney General J. Howard McGrath issued a list of "organizations, groups, and movements" which, he said, "had significance in connection with the National Security." Membership in or affiliation with any of these organizations led to investigation and firing of government workers.*

Communist Party, U.S.A., its subdivisions, subsidiaries and affiliates.  
Communist Political Association, its subdivisions, subsidiaries and affiliates, including— Alabama People's Education Association, Florida Press and Educational League, Oklahoma League for Political Education, People's Educational and Press Association of Texas, Virginia League for People's Education.

Young Communist League.

Abraham Lincoln Brigade.

Abraham Lincoln School, Chicago, Illinois.

Action Committee to Free Spain Now.

American Association for Reconstruction in Yugoslavia, Inc.

American Branch of the Federation of Greek Maritime Unions.

American Christian Nationalist Party.

American Committee for European Workers' Relief.

American Committee for Protection of Foreign Born.

American Committee for the Settlement of Jews in Birobidjan, Inc.

American Committee for Spanish Freedom.

American Committee for Yugoslav Relief, Inc.

American Committee to Survey Labor Conditions in Europe.

American Council for a Democratic Greece, formerly known as the Greek American Council; Greek American Committee for National Unity.

American Council on Soviet Relations.  
 American Croatian Congress.  
 American Jewish Labor Council.  
 American League Against War and Fascism.  
 American League for Peace and Democracy.  
 American National Labor Party.  
 American National Socialist League.  
 American National Socialist Party.  
 American Nationalist Party.  
 American Patriots, Inc.  
 American Peace Crusade.  
 American Peace Mobilization.  
 American Poles for Peace.  
 American Polish Labor Council.  
 American Polish League.  
 American Rescue Ship Mission (a project of the United American Spanish Aid Committee).  
 American-Russian Fraternal Society.  
 American-Russian Institute, New York (also known as the American Russian Institute for Cultural Relations with the Soviet Union).  
 American Russian Institute, Philadelphia.  
 American Russian Institute of San Francisco.  
 American Russian Institute of Southern California, Los Angeles.  
 American Slav Congress.  
 American Women for Peace.  
 American Youth Congress.  
 American Youth for Democracy.  
 Armenian Progressive League of America.  
 Associated Klans of America.  
 Association of Georgia Klans.  
 Association of German Nationals (Reichsdeutsche Vereinigung).  
 Ausland-Organization der NSDAP, Overseas Branch of Nazi Party.  
 Baltimore Forum.  
 Benjamin Davis Freedom Committee.  
 Black Dragon Society.  
 Boston School for Marxist Studies, Boston, Massachusetts.  
 Bridges-Robertson-Schmidt Defense Committee.  
 Bulgarian American People's League of the United States of America.  
 California Emergency Defense Committee.  
 California Labor School, Inc., 321 Divisadero St., San Francisco, California.  
 Carpatho-Russian People's Society.  
 Central Council of American Women of Croatian Descent (also known as Central Council of American Croatian Women, National Council of Croatian Women).

Central Japanese Association (Beikoku Chuo Nipponjin Kai).  
Central Japanese Association of Southern California.  
Central Organization of the German-American National Alliance  
(Deutsche-Amerikanische Einheitsfront).  
Cervantes Fraternal Society.  
China Welfare Appeal, Inc.  
Chopin Cultural Center.  
Citizens Committee to Free Earl Browder.  
Citizens Committee for Harry Bridges.  
Citizens Committee of the Upper West Side (New York City).  
Citizens Emergency Defense Conference.  
Citizens Protective League.  
Civil Liberties Sponsoring Committee of Pittsburgh.  
Civil Rights Congress and its affiliated organizations, including Civil  
Rights Congress for Texas, Veterans Against Discrimination of Civil  
Rights Congress of New York.  
Columbians.  
Comite Coordinador Pro Republica Espanola.  
Comite Pro Derechos Civiles.  
Committee to Abolish Discrimination in Maryland.  
Committee to Aid the Fighting South.  
Committee to Defend the Rights and Freedom of Pittsburgh's Political  
Prisoners.  
Committee for a Democratic Far Eastern Policy.  
Committee for Constitutional and Political Freedom.  
Committee for the Defense of the Pittsburgh Six.  
Committee for Nationalist Action.  
Committee for the Negro in the Arts.  
Committee for Peace and Brotherhood Festival in Philadelphia.  
Committee for Protection of the Bill of Rights.  
Committee for World Youth Friendship and Cultural Exchange.  
Committee to Defend Marie Richardson.  
Committee to Uphold the Bill of Rights.  
Commonwealth College, Mena, Arkansas.  
Congress Against Discrimination.  
Congress of the Unemployed.  
Connecticut Committee to Aid Victims of the Smith Act.  
Connecticut State Youth Conference.  
Congress of American Revolutionary Writers.  
Congress of American Women.  
Council on African Affairs.  
Council of Greek Americans.  
Council for Jobs, Relief, and Housing.  
Council for Pan-American Democracy.  
Croatian Benevolent Fraternity.  
Dai Nippon Butoku Kai (Military Virtue Society of Japan or Military  
Art Society of Japan).

Daily Worker Press Club.  
 Daniels Defense Committee.  
 Dante Alighieri Society (Between 1935 and 1940).  
 Dennis Defense Committee.  
 Detroit Youth Assembly.  
 East Bay Peace Committee.  
 Elsinore Progressive League.  
 Emergency Conference to Save Spanish Refugees (founding body of the North American Spanish Aid Committee).  
 Everybody's Committee to Outlaw War.  
 Families of the Baltimore Smith Act Victims.  
 Families of the Smith Act Victims.  
 Federation of Italian War Veterans in the U.S.A., Inc. (Associazione Nazionale Combattenti Italiani, Federazione degli Stati Uniti d'America).  
 Finnish-American Mutual Aid Society.  
 Florida Press and Educational League.  
 Frederick Douglass Educational Center.  
 Freedom Stage, Inc.  
 Friends of the New Germany (Freunde des Neuen Deutschlands).  
 Friends of the Soviet Union.  
 Garibaldi American Fraternal Society.  
 George Washington Carver School, New York City.  
 German-American Bund (Amerikadeutscher Volksbund).  
 German American Republican League.  
 German-American Vocational League (Deutsche Amerikanische Berufsge-meinschaft).  
 Guardian Club.  
 Harlem Trade Union Council.  
 Hawaii Civil Liberties Committee.  
 Heimuska Kai, also known as Nokubei Heieki, Gimusha Kai, Zaibel Nihonjin, Heiyaku Gimu sha Kai and Zaibei Heimusha Kai (Japanese Residing in America Military Conscripts Association).  
 Hellenic-American Brotherhood.  
 Hinode Kai (Imperial Japanese Reservists).  
 Hinomauru Kai (Rising Sun Flag Society-a group of Japanese War Veterans).  
 Hokubei Zaigo Shoke Dan (North American Reserve Officers Association).  
 Hollywood Writers Mobilization for Defense.  
 Hungarian-American Council for Democracy.  
 Hungarian Brotherhood.  
 Idaho Pension Union.  
 Independent Party (Seattle, Washington).  
 Independent People's Party.

Industrial Workers of the World.  
 International Labor Defense.  
 International Workers Order, its subdivisions, subsidiaries and affiliates.  
 Japanese Association of America.  
 Japanese Overseas Central Society (Kaigai Dobo Chuo Kai).  
 Japanese Overseas Convention, Tokyo, Japan, 1940.  
 Japanese Protective Association (Recruiting Organization).  
 Jefferson School of Social Science, New York City.  
 Jewish Cultural Society.  
 Jewish People's Committee.  
 Jewish People's Fraternal Order.  
 Jikyoku Lin Kai (The Committee for the Crisis).  
 Johnson Forest Group.  
 Johnsonites.  
 Joint Anti-Fascist Refugee Committee.  
 Joint Council of Progressive Italian-Americans, Inc.  
 Joseph Weydemeyer School of Social Science, St. Louis, Missouri.  
 Kibei Seinen Kai (Association of U.S. citizens of Japanese ancestry who have returned to America after studying in Japan).  
 Knights of White Camelia.  
 Ku Klux Klan.  
 Kyffhaeuser, also known as Kyffhaeuser League (Kyffhaeuser Bund)  
     Kyffhaeuser Fellowship (Kyffhaeuser Kameradschaft).  
 Kyffhaeuser War Relief (Kyffhaeuser Kriegshilfswerk).  
 Labor Council for Negro Rights.  
 Labor Research Association, Inc.  
 Labor Youth League.  
 League for Common Sense.  
 League of American Writers.  
 Lictor Society (Italian Black Shirts).  
 Macedonian-American People's League.  
 Mario Morgantini Circle.  
 Maritime Labor Committee to Defend Al Lannon.  
 Maryland Congress Against Discrimination.  
 Massachusetts Committee for the Bill of Rights.  
 Massachusetts Minute Women for Peace (not connected with the Minute Women of the U.S.A., Inc.).  
 Maurice Braverman Defense Committee.  
 Michigan Civil Rights Federation.  
 Michigan Council for Peace.  
 Michigan School of Social Science.  
 Nanka Teikoku Gunyudan (Imperial Military Friends Group or Southern California War Veterans).  
 National Association of Mexican Americans (also known as Asociacion Nacional Mexico-Americana).

National Blue Star Mothers of America (not to be confused with the Blue Star Mothers of America organized in February 1942).  
 National Committee for the Defense of Political Prisoners.  
 National Committee for Freedom of the Press.  
 National Committee to Win Amnesty for Smith Act Victims.  
 National Committee to Win the Peace.  
 National Committee on American Policy in China and the Far East (a Conference called by the Committee for a Democratic Far Eastern Policy).  
 National Council of Americans of Croatian Descent.  
 National Council of American-Soviet Friendship.  
 National Federation for Constitutional Liberties.  
 National Labor Conference for Peace.  
 National Negro Conference.  
 National Negro Labor Council.  
 Nationalist Action League.  
 Nationalist Party of Puerto Rico.  
 Nature Friends of America (since 1935).  
 Negro Labor Victory Committee.  
 New Committee for Publications.  
 Nichibei Kogyo Kaisha (The Great Fujii Theatre).  
 North American Committee to Aid Spanish Democracy.  
 North American Spanish Aid Committee.  
 North Philadelphia Forum.  
 Northwest Japanese Association.  
 Ohio School of Social Sciences.  
 Oklahoma Committee to Defend Political Prisoners.  
 Oklahoma League for Political Education.  
 Original Southern Klans, Incorporated.  
 Pacific Northwest Labor School, Seattle, Washington.  
 Palo Alto Peace Club.  
 Partido del Pueblo of Panama (operating in the Canal Zone).  
 Peace Information Center.  
 Peace Movement of Ethiopia.  
 People's Drama, Inc.  
 People's Educational and Press Association of Texas.  
 People's Educational Association (Incorporated under name Los Angeles Educational Association, Inc.), also known as People's Educational Center, People's University, People's School.  
 People's Institute of Applied Religion.  
 People's Programs (Seattle, Washington).  
 People's Radio Foundation, Inc.  
 People's Rights Party.  
 Philadelphia Labor Committee for Negro Rights.  
 Philadelphia School of Social Science and Art.  
 Photo League (New York City).



Pittsburgh Arts Club.  
 Political Prisoners Welfare Committee.  
 Polonia Society of the IWO.  
 Progressive German-Americans, also known as Progressive German-Americans of Chicago.  
 Proletarian Party of America.  
 Protestant War Veterans of the United States, Inc.  
 Provisional Committee of Citizens for Peace, Southwest Area.  
 Provisional Committee on Latin American Affairs.  
 Provisional Committee to Abolish Discrimination in the State of Maryland.  
 Puerto Rican Comite Pro Libertades Civiles (CLC).  
 Puertorriquenos Unidos (Puerto Ricans United).  
 Quad City Committee for Peace.  
 Queensbridge Tenants League.  
 Revolutionary Workers League.  
 Romanian-American Fraternal Society.  
 Russian American Society, Inc.  
 Sakura Kai (Patriotic Society, or Cherry Association, composed of veterans of Russo-Japanese War).  
 Samuel Adams School, Boston, Mass.  
 Santa Barbara Peace Forum.  
 Schappes Defense Committee.  
 Schneiderman-Darcy Defense Committee.  
 School of Jewish Studies, New York City.  
 Seattle Labor School, Seattle, Washington.  
 Serbian-American Fraternal Society.  
 Serbian Vidovdan Council.  
 Shinto Temples (Limited to State Shinto abolished in 1945).  
 Silver Shirt Legion of America.  
 Slavic Council of Southern California.  
 Slovak Workers Society.  
 Slovenian-American National Council.  
 Socialist Workers Party, including American Committee for European Workers Relief.  
 Sokoku Kai (Fatherland Society).  
 Southern Negro Youth Congress.  
 Suiko Sha (Reserve Officers Association, Los Angeles).  
 Syracuse Women for Peace.  
 Tom Paine School of Social Science, Philadelphia, Pennsylvania.  
 Tom Paine School of Westchester, New York.  
 Trade Union Committee for Peace.  
 Trade Unionists for Peace.  
 Tri-State Negro Trade Union Council.  
 Ukranian-American Fraternal Union.  
 Union of American Croatians.

Union of New York Veterans.  
 United American Spanish Aid Committee.  
 United Committee of Jewish Societies and Landsmanschaft Federations, also known as Coordination Committee of Jewish Landsmanschaften and Fraternal Organizations.  
 United Committee of South Slavic Americans.  
 United Defense Council of Southern California.  
 United Harlem Tenants and Consumers Organizations.  
 United May Day Committee.  
 United Negro and Allied Veterans of America.  
 Veterans Against Discrimination of Civil Rights Congress of New York.  
 Veterans of the Abraham Lincoln Brigade.  
 Virginia League for People's Education.  
 Voice of Freedom Committee.  
 Walt Whitman School of Social Science, Newark, New Jersey.  
 Washington Bookshop Association.  
 Washington Committee to Defend the Bill of Rights.  
 Washington Committee for Democratic Action.  
 Washington Commonwealth Federation.  
 Washington Pension Union.  
 Wisconsin Conference on Social Legislation.  
 Workers Alliance (since April 1936).  
 Yiddisher Kultur Farband.  
 Yugoslav-American Cooperative Home, Inc.  
 Yugoslav Seamen's Club, Inc.

## 30 ♦♦ WHAT TO DO ABOUT THE TAFT-HARTLEY ACT

♦♦ Victor Rabinowitz ♦♦

*During the Cold War, Attorney Victor Rabinowitz was General Counsel to the American Communications Association (ACA-CIO). Today he is a partner in the New York City law firm of Rabinowitz, Boudin, Standard, Krinsky & Lieberman.*

In the growing anti-labor climate of anti-Communism, Congress passed the Taft-Hartley Act.

President Harry S. Truman had proposed more drastic anti-union measures himself. But he had to veto Taft-Hartley to preserve any standing with labor leaders, and he received nearly 450,000 letters calling for a veto. In his veto, he said he agreed with Congress' objective to assist labor organizations to rid themselves of Communist officers, but cautioned that the oath provision "would ... cause strikes and disruption" because some unions would use the strike weapon rather than accept the affidavit requirement for use of NLRB procedures; this would result in confusion and disorder, "which is exactly what the Communists desire." Truman said: "The bill as a whole would reverse the basic direction of our national labor policy ... and conflict with important principles of our democratic society."

Three days later, on June 23, 1947, Congress voted to override the veto (331-83 in the House, 68-25 in the Senate) and Taft-Hartley was law.

In its first three months of operation, employers filed suits against unions seeking more than \$13 million damages, and filed 224 petitions with the NLRB to take bargaining rights away from unions.

In this period, the National Labor Relations Board also began to change. Every lawyer and staff member had to make two basic decisions: whether to stay and enforce this bill aimed at labor unions, and whether to sign Truman's new loyalty oath for government employees. Some supporters of the old Wagner Act, men and women who believed in the CIO, decided to leave the board. Heber Blankenhorn, chief investigator for the Board and a pioneer champion of labor rights, resigned in protest from the NLRB staff. A supporter of Taft-Hartley had said it would "instill in American unions a spirit of fidelity to America." Blankenhorn said not the "spirit of fidelity," but "the spirit of Fido, who must learn to lie down, roll over, and play dead, at the snap of a finger."

But how could a union effectively resist the new law?

Clearly, it would lose members if it could not be certified by the NLRB. Workers would hesitate to pay dues to an organization that could not fight or even bargain for their just demands. The left-led unions were afraid they would be raided by conservative AFL locals if they did not sign the oath and use the NLRB.

But would signing the oath be a solution for militant union leaders? What if you denounced the oath in principle, but signed it anyway, since you were not a Communist?

Informers paid by the government could swear that you were lying, that you really were a CP member.

And what if you were a Communist Party member and deliberately and publicly resigned from the CP and severed all left-wing connections and then signed the oath so that your union could use the NLRB machinery?

Informers could swear that you only made a show of resigning. If a labor leader got arrested and charged with filing a false oath, it would be the union leader's word against the word of paid informers in a federal court criminal trial in the midst of Cold War hysteria.

CIO unions faced all of these problems after passage of the Act. Several instructed their lawyers to look into the unconstitutionality of the loyalty oath. Lawyers for the National Maritime Union, the Oil Workers, the United Electrical Radio & Machine Workers Union, and others filed suits challenging

Section 9(h). The lower courts ruled against them, and none of these suits raised the constitutional issues clearly enough to send the cases to the higher courts for a final ruling.

Meanwhile, most AFL unions promptly complied with Section 9(h), hoping to gain some competitive advantage against the rival CIO. But some AFL unions would not sign, notably the Mine Workers, still led by John L. Lewis, and the International Typographical Union, which had a long democratic tradition.

The different attitudes towards Section 9(h) divided the CIO. But they also reflected other, deeper divisions—between unions that opposed the Cold War and those that supported it. The precise issues were the Marshall Plan, the Truman Doctrine, the loyalty programs, and Henry Wallace's Progressive Party candidacy for president in 1948.

# 31 ♦♦ THIS IS FIGHTING TAFT-HARTLEY?

## THE 1947 CIO CONVENTION IN BOSTON

♦♦ Len De Caux ♦♦

*For author note, see section 18.*

The 1937 CIO Convention at Atlantic City was the honeymoon of radical youth wed to still vigorous experience. 1947 at Boston was sour with approaching divorce. For a dozen years I had known the few score union leaders and their few hundred lieutenants who made up this convention. They had grown stouter, balder, grayer, but were still younger than an AFL convention—30-40-50ish rather than 50-60-70ish. Business-union success, rather than age, had changed CIO. Some of the flaming young men of 1936-37 had become, or been pushed aside by, pallid administrators. Hard-faced labor politicians were forging to the front. A sign of new times was gangsterism, for the first time at a national CIO convention. It came from Steel.

Steel had once been as middle-of-the-road as Murray himself. By 1947 there had been some changes made. District leaders once lords in their fiefs by grant and grace of Good King Phil Murray and Bonnie Prince David McDonald had learned to take care of themselves. Some hard-fisted machine-men had risen in war on the left, and the Cold War now assured their rule. Mostly Catholics, they found in the Association of Catholic Trade Unions (ACTU) the doctrinal oil for their steely







## **32 ♦♦ CHALLENGING TAFT-HARTLEY IN THE COURTS**

♦♦ Victor Rabinowitz ♦♦

*For author note, see section 30.*

### **ACA-CIO and Local 65-CIO Refuse To Sign**

At this time in 1948, I represented the American Communications Association (ACA), an international union affiliated with the CIO, and the Wholesale and Warehouse Workers Local 65, a CIO local affiliated with an international union whose officers had complied with the Taft-Hartley Act. The officers of the international ACA and of Local 65 refused to sign the oath but insisted on their continuing right to use the services of the NLRB. If the Board refused to permit either union to participate in a representation election, I was authorized to challenge the constitutionality of the law and particularly of Section 9(h).

At this time, ACA had jurisdiction over workers in the communications industry, and had collective bargaining contracts covering employees of RCA Communications, Western Union, and a number of smaller international communications carriers, as well as radio operators working on vessels in the United States merchant marine. Local 65 had jurisdiction over workers in warehouses, and wholesale, processing, and other distributive establishments. Both unions had young and militant leadership and were in the forefront of the progressive

sector of the labor movement in New York.

When the Labor Board in June, 1948 refused to permit either union to participate in pending elections, we filed complaints against the Board in the federal court in New York. We raised one issue. We asked the court to prevent the Board from holding representation elections that left the ACA or Local 65 off the ballot because their officers had refused to sign the affidavits.

We appeared before a three-judge federal court in July, 1948. We argued that Sec. 9(h) abridged the rights guaranteed to unions by the First and Fifth Amendments to the U.S. Constitution. The Act imposed restrictions on freedom of speech and assembly, protected by the First Amendment. The Act was also vague; no one could clearly define words like "affiliated," "belief," and "support," and a criminal prosecution for perjury based on such a vague law would violate the due process clause of the Fifth Amendment. In this case, a union leader had a right to know what political acts could lead to a perjury indictment if he signed the oath. What acts could be called "affiliation," "belief" or "support"?

In August, the three-judge court issued its opinion. The majority held the statute was constitutional, but we convinced one of the three, Judge Rifkind, who dissented from their view, saying very briefly that the statute abridges the freedom of speech and the right of assembly without a showing of clear and present danger.

We decided, of course, to appeal; however bad the Supreme Court decision might be, it couldn't be worse.

While our cases were pending in the district court, Philip Murray, President of the CIO and the United Steel Workers, authorized counsel for the Steel Workers Union to file a suit like ours in the Seventh Circuit. In that case, Inland Steel Company had refused to bargain with the union on the subject of pensions. The NLRB had ruled this violated the National Labor Relations Act. But the Board would not order the Company to bargain, as the law required, because the union officers had not signed the Taft-Hartley oath. Both sides appealed and the Court of Appeals upheld the Board, ruling that the oath was constitutional.

*Editors' note: The story of these cases continues in Section 38.*

## 33 ♦♦ NLRB ATTACKS ON UNIONS

### ♦♦ The Editors ♦♦

Even before the Taft-Hartley Act became effective on August 22, 1947, the National Labor Relations Board began following its tune. It stalled an election petition for an election by the International Fur & Leather Workers Union at Endicott Johnson until Aug. 22, then refused to act on the petition because union officers had not filed Taft-Hartley non-Communist affidavits. The end result? The union effort died at Endicott Johnson and has not been revived to this day.

The NLRB immediately began discriminating against unions that did not file the oaths saying it should not allow a contract between an employer and a noncomplying union to bar a representation election. This led to 30 heavily-financed raids against IFLWU, and unnumbered raids against UE, Mine Mill, and other unions whose officers did not immediately sign the oath.

The NLRB also took the position that it would not allow the name of a noncomplying union on an NLRB certification ballot. The strongest left-led unions were able to convince their strong union members to vote "no union" when this was the only way to vote for IFLWU, UE, Mine Mill, International Longshoremen's and Warehousemen's Union, etc. But it did spell defeat for newer, weaker locals.

From 1947-1951, union officers filed 232,000 non-Communist affidavits with the Board. The Board said its duty was to process all cases without inquiring into the truth or falsity of the affidavits, simply referring questionable affidavits to the

Department of Justice for investigation and possible prosecution under the Criminal Code. The Board made 55 such referrals. [*Leedom v. Mine Mill*, 352 US 145, footnote 5 on 151 (1956).]

While the Taft-Hartley oath cases were pending before the courts, and other cases were pending before the NLRB, the Progressive Party came to life in 1948.

## 34 ♦♦ UNIONISTS BUILD THE PROGRESSIVE PARTY

♦♦Curtis D. MacDougall♦♦

*Journalism professor Curtis MacDougall wrote a definitive 3-volume history of the Progressive Party, Gideon's Army (New York: Marzani & Munsell, 1965). This section is from Vol. III, page 318-19, 611-28, 637-38, and Appendix, published with permission of the late author.*

In 1948, the entire campaign of the Progressive Party was predicated on one assumption: that a sufficient number of the children and grandchildren of the Populists of the 1890s, now urban workers, had matured sufficiently to be ready for independent political action. Progressives of 1948 believed the Populists had failed, "chiefly because the farmers were, with the march of industrialization, becoming a relatively smaller part of the nation's population and because the labor movement was not yet mature enough to join with them in the fight against the trusts." Henry Wallace and those close to him expected enough worker support for their third party that union leaders, especially President Philip Murray of the CIO, would be compelled to recognize the New Party's importance: either by joining, or at least stopping active resistance. After all, the two alternatives were both unacceptable to labor: the Democratic President Harry Truman, and the Republican candidate Tom Dewey.

Many local union officials and members were among those who urged Henry Wallace to run, or pledged their support immediately after his announcement. This was consistent with the resolutions adopted within the two preceding years by

their national conventions or governing bodies. Such backing was strongest within the international CIO unions. Examples were: the United Electrical; the National Maritime; the Marine Cooks and Stewards, and the Packinghouse Workers (both of which had passed resolutions stressing the need for a political realignment); the Longshoremen; the Transport Workers; the Fur and Leather Workers; the American Communications Association; the United Furniture Workers; the United Public Workers; the Food, Tobacco, and Agricultural Workers; and the Fishermen. New Party committees were also organized among steelworkers, especially in the Pittsburgh, Youngstown and Gary areas.

When former vice president Wallace made his announcement speech on Dec. 29, 1947, he was under no illusions as to what the attitude of Murray, and other labor leaders, was likely to be. It was no surprise when William Green, the AFL president, said that the New Party was a mistake; when Walter Reuther called Wallace "a lost soul"; when A.F. Whitney, president of the Brotherhood of Railway Trainmen, quit the Progressive Citizens of America (PCA) and endorsed Harry Truman; or when the Amalgamated Clothing Worker promptly pulled out of the American Labor Party. The resolutions of condemnation, by the CIO Executive Board on Jan. 22, and the AFL Executive Council on Feb. 3, were not unexpected.

The problem was the charges of Communist influence, made especially by Philip Murray. Albert J. Fitzgerald, president of UE-CIO, answered the charges and condemned the CIO leadership for its unfriendly attitude toward Wallace and the new party: "The Reuthers, Rieves, the Hillmans and the Murrays, were at the 1944 convention of the Democratic Party, and they were all fighting night and day to get Wallace renominated for vice president. They then issued a statement that he was robbed by the big city bosses. "Henry Wallace has not changed. It's those labor leaders who have changed, and in changing over they have forgotten the interests of their members... I had a whole lot to do with getting Wallace to run, and I never attended a Communist meeting in my life."

### **Purging Party Supporters**

Eleven members of the CIO Executive Board voted against condemning the Progressive Party at the January 1948 board meeting. Ten remained nominal Wallace supporters. However,

no new support was recruited among the higher echelons of organized labor. No one not already known as a Wallaceite was converted during the campaign. Rather, most of the avowed Progressives among union officials at all levels merely sat on their hands, doing little or nothing to line up their mass memberships as participants in the movement.

As for the members themselves, including lower-level union officials, they were afraid: both of their employers and of their union superiors. There were enough publicized examples of disciplinary action to justify their fears. One example was Harry Bridges, president of the Longshoremen's & Warehousemen's Union. Allan Haywood, CIO vice president, wrote a letter to Bridges on Feb. 21, demanding that the latter either quit the IPP or resign as CIO regional director for Northern California, a position he had held for about 18 months.

Haywood went to San Francisco to confer with Bridges. On March 4 he requested Bridges to resign his regional directorship and Bridges refused. On March 5, Philip Murray fired Bridges and appointed Tim Flynn in his place. [See section 52.]

### Workers for Wallace

On the eve of the Progressive Party founding convention, July 23, 1948, Albert J. Fitzgerald, the chairman of the PP Labor committee, announced that the committee's membership of approximately 1,000 included representatives of 98 unions: 47 were AFL, 31 were CIO, 14 were railway, and six were independent. He added that about 3,000 pro-Wallace shop committees were in existence.

There was a tremendous outpouring of steelworkers to hear Wallace in Memorial Auditorium at Gary, on April 8, although the meeting was "out of bounds"—to use the phrase of Edwin A. Lahey, in the *Chicago Daily News*. Many steelworkers were among the 3,500 in the audience, and two of the Calumet area's leading union officials appeared on the platform. They were the presidents of the 16,000-member United States Steel Council in Gary, and the 10,000-member Inland Steel local in Indiana Harbor. Lee Pressman recalls the enthusiasm of this meeting, and of another held about the same time at Pittsburgh. This was after the CIO national committee had resolved against Wallace, but before it had announced its support for Truman.

The basic argument for Wallace was made by President Ben

**Gold at the Fur and Leather Workers Convention on May 22: "Suppose Wallace gets 10 or 12 million votes. He may not win, but his supporters would be a powerful influence in the campaign to defeat reactionary Congressmen."**

**LABOR COMMITTEE FOR GIDEON'S ARMY**

About 125 labor leaders from 32 states, representing 30 international unions, were the nucleus of the Wallace for President Labor Committee, when it was formed on April 11 in Chicago. Russell Nixon of the UE was in charge of the New York office, and his right-hand man was Len De Caux.

The labor division, headed by Fitzgerald of UE, was the most prolific of all Progressive Party divisions. It is estimated that it distributed approximately three million pieces of literature, all aimed at persuading the rank-and-file of labor that the New Party was its only true friend, and that the national labor leadership was in cahoots with Democrats and Republicans who meant no good for the workingman. This material was distributed chiefly through shop committees of Wallace sympathizers in the labor movement.

Fitzgerald stated on July 5 that 825 shop committees were already established. They included committees in 250 United Automobile Workers locals in 13 states; and one in the country's largest Textile Workers local, at the Wood and Ayer mills in Lawrence, Massachusetts. On April 25, a state-wide labor conference for Wallace in Newark was attended by 600 delegates from 37 unions, 23 CIO, 12 AFL, and two independent. And on May 31, delegates representing 15,677 members of the New York Wholesale and Warehouse Workers unanimously endorsed Wallace.

## What Wallace Lacked as a Candidate

To emphasize his kinship with labor, Henry Wallace let no opportunity pass to make a specific statement in support of labor's position. He, vice presidential candidate Glenn Taylor,



and other leading PP candidates made personal visits to hiring halls, union headquarters, and picket lines. In Chicago and on the West Coast, Wallace spoke to strikers in Spanish on more than one occasion. In Detroit, on May 13, he paraded with UAW pickets before the Chrysler plant. Often, folksingers who were accompanying the PP candidates entertained union pickets.

But Wallace lacked the warm, backslapping type of personality which is one of the American politician's leading assets. In 1940, the CIO-PAC had supported him for the Democratic vice presidential nomination for the same reason that Franklin D. Roosevelt did: the "pickings" were thin that year. The turning point at the convention came when Philip Murray persuaded the Pennsylvania delegation to support Wallace. Although the two men were never close personally, at the 1944 convention Murray stuck with Wallace to the end. Sidney Hillman, however, consented to Truman as a replacement.

In late 1947, Murray refused Wallace's request for a conversation. Although Wallace's personal relations with the leaders of labor were pleasant, there were no deep friendships. Certainly, there were no political obligations in the traditional sense. When Wallace left the cabinet in September, 1946, he lost the power to extend political favors, even had he been the type to have done so.

On the other hand Harry Truman, despite what labor considered his many faults, was still very much President of the United States in 1948. The Democratic Party still existed, and was bound to "come back" some day, even if roundly defeated that year. Labor's champion, Franklin D. Roosevelt, was only three years dead; the Democratic Party was his party, regardless of what Harry Truman had allowed it to become. The alternative was Thomas E. Dewey, together with a crowd of New-Deal-hating Big Businessmen.

In April, the CIO leaders were crying out for Eisenhower to be the Democratic candidate, by draft if necessary. It was then that William Green, the AFL president, emerged from a White House visit to declare: "Labor doesn't know the social, economic and industrial views of General Eisenhower, who has been a military man all his life."

Because the CIO owed so much to FDR, it developed something resembling a father image. In all the labor-management negotiations during New Deal days, government was a third partner. This was so much so that some of Murray's closest

associates say that the CIO leader never really bargained himself; rather, he left it to the government to do so for him. The attempt to persuade General Eisenhower to run as a Democrat in 1948 was one to obtain another strong man to lean upon. In 1952, Ike couldn't understand why labor leaders, who were so much for him four years earlier, were now so strongly on the other side.

The two most important organizations seeking to exercise influence on the CIO during the crucial postwar period when the internal power struggle developed were the United States Chamber of Commerce and the Roman Catholic Church. Both were strongly anti-United-Front. And, in an article in the Dec. 28, 1948, issue of *Colliers* entitled "How to Beat the Communists," Reuther lambasted the United Front psychology in these terms: "The liberal who succumbs to the United Front lure believes that Communists are simply Democrats-in-a-hurry."

On July 4, 1948, ACTU condemned the Progressive Party, but suggested that a "real" third political party might be a good thing.

However, Catholic influence was only a part of the story. Labor unions in 1948 had status and affluence. They were going to play it safe, as safe as the middle class itself.

The most outstanding failure of a leading Wallace supporter to influence his own followers occurred in early September. Albert J. Fitzgerald, president of UE, refrained from asking them to endorse the Progressive Party at their convention. This restraint—correctly interpreted as indicating a considerable decline in Wallace's strength—was exercised in the interest of unity. The delegates voted, 3509.886 to 910.726, for independent voting and against endorsement of the CIO-PAC policy; therefore, a majority vote for a Wallace endorsement could have been obtained. In fact, fourteen such resolutions were introduced, but the 25 percent minority also introduced two contrary motions.

The only UE district to endorse the Progressive Party in 1948 was District 11, Chicago, of which Ernest De Maio was president. He declared that a sizeable factor hindering further endorsements, in his and other unions, was the large number of shop stewards who were also Democratic precinct captains.

## SPLITS, AND PLANS FOR "LATER"

The Progressive Party issue split the Greater New York CIO Council. After the Council refused to endorse Truman, eight leaders, including Michael Quill (Transport Workers) and Joe Curran (National Maritime Union), brought charges against Council officers. They were tried in Washington in October by a five-man board appointed by Murray, with L.S. Buckmaster, president of the Rubber Workers, as chairman. Buckmaster had scathingly denounced Wallace earlier. Now he ruled that all questions to witnesses had to be addressed through him, and the defendants were displeased with his handling of the questions. He ordered Sam Burt, the Council's vice president, removed from the room, and a fistfight broke out. (Saul Mills, the Council secretary, insisted that the real issue was quite different. Quill advocated a subway fare increase as a condition for wage increases; the Council refused to support this tying of wage increases to price increases.)

On Aug. 31, the National CIO Executive Board endorsed Harry Truman by a 33-to-12 vote. On Aug. 3, national CIO headquarters announced that 93 percent of the 400 subordinate councils had conformed to CIO policy, opposing the Progressive Party.

Louis Stark of the New York *Times* estimated that the unions represented by the 33 who voted in the majority had about five million members, whereas the 12 dissenters represented about one million workers.

## The Third Party Heritage

Saturday, October 30th, was a triumphant occasion for the Progressive Party in Philadelphia, as crowds of 5,000 and 6,000 jammed the streets in Jewish and Negro areas in the 4th Congressional District for four meetings, and another 5,000 filled the "Met" for the evening rally.

For his outdoor Negro audiences, Wallace contrasted his speeches on civil rights with the speech on the same subject by Harry Truman in Harlem. "I had the same things to say in Dallas that I said in Harlem," Wallace said. "President Tru-

man did not say in Dallas what he said to the people in Harlem about civil rights."

Wallace capitalized the day's news: "Chiang Kai-shek is on his way out and the little German king is tottering on his throne in Greece. The billions of dollars we put into China and Greece haven't saved the dictators whom the framers of our bipartisan foreign policy wanted to help. The people are realizing that the whole Truman Doctrine is completely imperiled. That means the United States has to get a new doctrine." Then he recalled his own Century of the Common Man speech of 1942 and contended that Franklin D. Roosevelt favored his ideas but, with FDR's death, hope of realizing them died.

... We, the common people of America, who placed the Progressive Party on the ballot in 45 states, have a right to claim that wartime slogan of the Seabees: 'The difficult is done immediately; the impossible takes a little longer.'

We have gone into the South and held unsegregated political meetings for the first time in American history. We have answered the threats of the Ku Klux Klan with our challenge, 'Jim Crow must go.'

We have set up such a clamor for peace, joining our voices with those of the common people the world around, that the designs of war-makers are daily becoming difficult to realize. Because of us, because of the Progressive Party and the magnificent allies in the churches of America, Universal Military Training has not been foisted upon American youth—and because of us, and those who work with us, the peacetime draft shall be rescinded—and that at a not-too-distant day.

The Progressive Party stands, as Jefferson stood and Lincoln stood, for the right of any idea and all ideas to the marketplace of thought, there to be accepted or rejected by the American people. When free speech and free thought die, this nation dies. It shall not happen. Ideas are the lifeblood of progress, and with this conviction we of the Progressive Party fought and defeated those infamous agents of reaction, Mundt and Nixon, in their plot to murder the Bill of Rights.

## THE PROGRESSIVE PARTY IN THE SOUTH

♦♦ Bob Martin ♦♦

*For author note, see section 20.*

The Wallace campaign was a big issue down in 1947 in the South; we made it a pretty big issue there. I happened to be in port at that time, and I joined up with the Wallace Committee and was sent down to Alabama and Mississippi. (I had made a

trip down there one time before on the Willie McGee case.)

We stopped in Biloxi, Mississippi to store some of our literature. We had some Progressive Party contacts along the way in different places. We had five of us in one car, and we had the trunk filled up; there was stuff all over, and a box on the roof. It was an old car and it was just barely making it anyway. So we left about six boxes of leaflets in a hotel in Biloxi. We got a guy to rent us a closet off the lobby. We put the literature in the closet, and we were supposed to come back the following night to pick it up. The front page of the leaflets was a picture of a white and a black child sitting behind a desk at school, and studying together at the same desk.

We went on down the coast to Mobile, Alabama, and made a distribution and met with some contacts.

We didn't make it back to Biloxi like we were supposed to. We didn't get in there until early the next morning, one night late. We thought, "Well, let's make a distribution, because early in the morning or late in the evening, you catch people at home." So we went out. People were just getting up and going to work, and we put out our leaflets with the milk bottles.

We covered a hell of a big section before the cops were tipped off, and they finally rounded us up. They only got three of us, and they were looking for the other two. Our buddies saw us in the cops' car, and took off to contact a lawyer we had on our contact list.

They took us to the police station; they mugged us. The Chief of Police sat behind his desk. He wanted to kill us. He said, "It's too bad you bastards weren't here last night, because we had the tar and feathers ready for you."

I guess they got into the damn boxes and saw what was in there.

So the Chief of Police was sitting there smacking his fist when the City Attorney came in. They had a big discussion about what they should do with us.

The City Attorney was saying, "The best thing you can do with these guys is to run them out of town." They wanted to beat us up, throw us in the can, but he said, "Just take their literature away from them and escort them out of town. Don't give them any publicity; that's what they want. Don't make martyrs out of them."

They kept going on and on, and I was still waiting to see if the other two had contacted the lawyer.

They did and the lawyer came down. He was right from their

gang, too—he was defending us with a big Southern accent. But he was defending us, and finally between the City Attorney and him, they were convinced to escort us out of town, which was on the Louisiana state line.

So we said, "Fine, we'll go." We were leaving anyway.

Then I said, "We're taking our literature."

And that was an argument for awhile.

They finally agreed. "Get your literature and get the hell out of Mississippi." And they escorted us to the outskirts.

There was a road that goes north and we took a back road. We went through Hattiesburg and put a distribution out and we went on through to Jackson. Early the next morning in Jackson, we went to the main part of town and passed out our literature on the four corners, standing alongside of the newspaper stands.

The newspapers headlines read:

#### FIVE WALLACEITES RUN OUT OF MISSISSIPPI

And here we are standing in the capitol of Mississippi putting our literature out!

## ELECTION NIGHT

### ♦♦Len De Caux♦♦

On election night, the gloom was so thick at Wallace headquarters it stung the eyes and nose and parched the throat like smog. As new returns brought less and less comfort to those who had looked for an impressive vote, people began to shun each other. It was painful to have to say or listen to anything. I was disappointed . . . one always hopes against hope. I was not thrown, as were some optimists—including Wallace, apparently.

Many had anticipated a vote comparable to that for Robert M. La Follette in 1924—between four and five million. But Wallace lacked La Follette's labor and farm support and I hadn't thought that even with a successful campaign he could get more than two or three million. But as the campaign went on, Wallace was progressively losing votes. His small organized labor support kept dwindling, and he was losing ground with the rank and file, as perky little Harry Truman made his common-man pitch. Aping the Wallace tone on domestic issues, and soft-pedaling his own atomic imperialism, Truman won

over many potential Wallace voters, who were reluctant to stray from the Democratic fold, and who saw Truman as at least a lesser evil than Tom Dewey and the Dixiecrats. I had therefore lowered my sights considerably. But admittedly, the 1,157,000 vote for Wallace wasn't much of a base on which to build radical hopes.

It was a disappointing campaign. It was not a disaster. The hopes it wrecked were of the card-castle kind. Their wreckage was not to be compared with the demolition under way—before, during, and after the campaign—of such a solid working-class structure as the CIO that was.

What was disastrous was that the United States was now officially launched on a bipartisan Cold War course with the appearance of a popular mandate. Every vote against it was a protest, a promise of resistance. Without this effort, few American progressives could have held up their heads. Those who put their hearts into this campaign could at least take pride that they had not slunk off without a fight. Like those Germans who resisted the advent of Hitlerism, the Americans who opposed Cold War imperialism were overwhelmed, almost obliterated. Perhaps they were not “smart” to throw their weak bodies, their strong minds, their breakable spirits, against the trampling onrush of reaction. But they did.

### ♦♦ ELECTION OF 1948 ♦♦

States in Which Wallace Received More Than 2% of Popular Vote

	Truman (Democrat)		Dewey (Republican)		Thurmond (States' Rights Democrats)		Wallace (Progressive)	
	Votes	%	Votes	%	Votes	%	Votes	%
California	1,913,134	47.58	1,895,269	47.14	1,228	0.03	190,381	4.73
Florida	281,988	48.82	194,280	33.63	89,755	15.54	11,620	2.01
Idaho	107,370	49.98	101,514	47.26			4,972	2.31
Michigan	1,003,448	47.57	1,038,595	49.23			46,515	2.20
Minnesota	692,966	57.16	483,617	39.89			27,866	2.30
Montana	119,071	53.09	96,770	43.15			7,313	3.26
Nevada	31,291	50.37	29,357	47.26			1,469	2.36
New Jersey	895,455	45.93	981,124	50.33			42,683	2.19
New York	2,780,204	45.01	2,841,163	45.99			509,559	8.25
North Dakota	95,812	43.41	115,139	52.17	374	0.17	8,391	3.80
Oregon	243,147	46.40	260,904	49.78			14,978	2.86
Washington	476,165	52.61	386,315	42.68			31,692	3.50
Nationwide	24,104,030	49.51	21,971,004	45.13	1,169,032	2.40	1,157,063	2.38

Data from the official records on file in the National Archives.

## 35 ♦♦ CONGRESSIONAL COMMITTEES CALL LABOR WITNESSES

### ♦♦ The Editors ♦♦

To most people on all sides of the Cold War, the House Committee on Un-American Activities exemplified the period within the United States. HUAC called 3,500 witnesses from its inception in 1938 until its demise almost 40 years later, many from the labor movement in dozens of cities. During the McCarthy period, the House Committee on Education and Labor, the Senate Internal Security Subcommittee (SISS), and the Senate Permanent Subcommittee on Investigations (the Joe McCarthy Committee) got into the act, as Senators and Congressmen saw that a witch-hunt attack was good for reelection. State legislatures also established investigating committees in Ohio, New Hampshire, Louisiana, California, and other states, going after the Reds, the Blacks, the peace people, and the unions.

The practice was for Congressmen to announce an investigation of "Communists in the local union!" when an NLRB representation election was in the works between a left-progressive union and a raiding "true-blue" CIO or AFL union, or during a hard-fought strike [*described in sections 42 and 45*].

When union leaders and members got subpoenas, they knew they had to figure out how to answer certain questions that were always asked:



♦♦FOR GOD, COUNTRY AND TV♦♦



By the mid-1950s, Senator Joseph McCarthy had become a popular subject for political cartoonists to lampoon. This cartoon appeared in the *Philadelphia Bulletin* in March, 1954.

♦♦ Credit: Alexander.

"Are you now or have you ever been a member of the Communist Party?"

"Have you ever been affiliated with the CP?"

"Do you know X?"

"Was X ever a member of the CP?"

Almost every union member or leader who would not cooperate with these committees put up a strong fight. They were called "unfriendly witnesses" and many were charged with contempt of Congress for their refusal to answer such questions. Some of their cases ended up in the courts, where their lawyers frequently provided determined and creative defenses.

The epochal case involved the "Hollywood Ten," who courageously insisted on their right to hold political beliefs, to create movies, to participate in political action—and to refuse to discuss these matters with a Congressional committee on the basis of the First Amendment. They argued that Congress could pass no law abridging freedom of speech, press, assembly, or the right to petition the government for a redress of grievances under the specific language of the First Amendment. If Congress could pass no law limiting these political freedoms, it had no power to ask questions concerning political beliefs, since it was a legislative body whose job was to pass laws, not a grand jury seeking out individual law violators.

This argument led the "Ten" to endure one year of prison and many subsequent years of blacklisting, which a few broke through after decades outside the pale.

How many labor people were called before the committees? What happened to them? How many became "friendly" witnesses, willing to answer all the questions? What happened to these individuals and to their unions when they named their own names and the names of others? How many were "somewhat unfriendly" witnesses, willing to answer as to themselves but not as to others? How many totally "unfriendly" witnesses refused to answer all questions? What happened to these individuals?

None of the committees ever tried to count the broken careers, broken union contracts, or broken locals caused by their hearings—or the number of times they were ridden out of town by a united labor/progressive movement. Books and articles on the legislative investigating committees tend to focus on a particular subject—like what happened in Hollywood, in a particular union, or in the courts. We have yet to

establish an internal Helsinki Watch Committee to catalog the abuses during those years.

For some, it was indeed, in the words of Dalton Trumbo, the time of the toad. But for most labor people called as witnesses, it was a time for a show of courage and contempt for their inquistors—a high point to recall with pride. [*See sections 44, 45, 51, 55–59, 74, 76, 78, 79 and 83.*]

## 36 ♦♦ THE REAL MARSHALL PLAN

### A WALL STREET PLAN TO CONTROL THE WORLD

♦♦ Vito Marcantonio ♦♦

*While U.S. unions were primarily concerned with the Taft-Hartley Act, Congressman Marcantonio (ALP-NY) spoke many times against the "European Recovery Plan" proposed by President Truman and General George Marshall during a week-long debate in the House of Representatives. On March 25, 1948, he used Italy as an example of the political and economic effects of the Marshall Plan on all the recipient countries of Europe. On March 30, 1948, Marcantonio proposed an amendment.*

*For author note, see section 28. [Subheads have been inserted in this speech by the Editors.]*

Mr. Chairman, time and time again when we have had this question before us, I have contended that the plan as embodied in this bill, and in other similar bills, is a plan to guarantee the establishment and continuance of satellite governments, governments that are or will be satellites of our State Department, so that these governments can destroy and defeat the aspirations of the people of Europe to establish an economy of their own.

We must consider this plan in the light of the problems of the people of Europe; in the light of the fact, which will become more and more obvious to Americans, . . . that monopoly capitalism, as we know it, big trust capitalism, has failed in Europe. It has given the people of Europe two world wars, and

in between them it has given them fascism, famine, suffering and bankruptcy.

The great masses of the people of Europe look upon the rule of the big trusts as decadent, and in some countries as dead. In fact, after the last war they began to march toward public ownership of their basic industries, toward taking over tremendous landed estates and dividing them and giving the peasants land. But the program of bread and land and peace and public ownership was thwarted in Italy by the imposition of a bankers' French and British E.R.P. in 1922 when, with French money and British bankers' money, Mussolini "marched" on Rome and fascism was established....

This bill is a big trust bill. World control by Wall Street trusts is written right in this bill. I call your attention to section 102(a).... It says the purpose of the bill is what?

The restoration or maintenance in European countries of principles of individual liberty, free institutions, and genuine independence rests largely upon the establishment of sound economic and political conditions, stable international economic and political relationships.

What does the State Department and the bipartisan coalition behind this bill mean by "sound economic and political conditions"? After I have told you what has happened in Italy you will agree with me that by "sound economic and political conditions" it is the State Department's intention to foist for all time upon these people the system of so-called free enterprise.

In Europe free enterprise, as in this country, does not any longer mean the freedom of the small-business man to operate; it means what it has meant in Europe for years. It means the freedom of the big trusts to monopolize Europe....

Then, again, this bill continues ... control over the foreign trade of these nations. You take section 117(d) ... Here we tell these recipient countries that they cannot trade with the other countries that are not in this plan. What does that mean, for instance, with respect to Italy?

In Italy they can get coal for a few dollars a ton from Poland. This section prohibits Italy from trading with Poland. Italy will have to buy American coal at \$20 a ton or better.

So we control these countries. We control them by controls established in this bill. We control their fiscal policies. We control their economic lives. We control their foreign trade. Then we control them politically because ... any government that makes an attempt at public ownership, or any government that

would break up the landed estates, will not be considered as a government existing under "stable political conditions" by our State Department and by this Congress....

### U.S. "Aid" to Italy

As far as Italy is concerned, this bill is not needed to make her an economic colony of Wall Street. The provisions of this bill are already in effect. They have been in effect in Italy ever since May 1st, 1947, when the Lombardo Italian Financial Mission came here. Certain special economic agreements were reached with the Italian Republic through this mission which I shall discuss shortly.... We have spent in Italy \$1,700,000,000 since the invasion of Sicily. Of that amount only \$375,000,000 was spent through U.N.R.R.A. [United Nations Relief and Rehabilitation Administration]. The balance of \$1,300,000,000 is in the form of unilateral aid.

None of that aid has reached down to the Italian people. It has been given to the Government. The Government has been selling this aid, some through the black market and some through the legitimate market, and the only people who have been able to buy in either or both markets have not been the impoverished peasants of Italy nor the impoverished workers of that country, but ... the investment bankers, and big industrialists, the owners of the villas and the big magnates and those who made money with Mussolini and since the time of Mussolini. They are the ones who have benefited by this so-called aid.

For this alleged aid let us see what price Italy had to pay. Wall Street has taken over in Italy. Let me give you certain startling facts....

*Editors' note: Here Marcantonio showed in detail how U.S. business had won substantial or controlling interests in such vital Italian industries as textile, automobile, oil, utilities and chemicals. He also showed how the Italian government was forced in December 1947 to issue new bonds in the amount of \$136,400,000 to replace Kingdom of Italy bonds with a 1941 market value of less than \$10,000,000. He showed how this bond deal largely benefited U.S. speculators and such investment houses as J.P. Morgan and Co., Dillon Read and Co., and the Chase National Bank.*

Mr. Chairman, all this explains ... the frantic effort that we are making in respect to the Italian elections; it exposes the

real reasons for our interference. We talk about intervention. Who is intervening in Italy? Why, we have gone so far as to use the Pendergast political-machine technique of bribery. We are trying to influence the Italian election now by offering Trieste to Italy. Our State Department is doing its utmost to prevent a free election. The Italian people know that Trieste is a problem that can be satisfactorily resolved only between Yugoslavia and an Italian Government independent of Wall Street control. They will not be fooled by this latest war provocation....

Speak about interference and free elections! The State Department informs the Italian people that unless they vote the De Gasperi ticket they are not going to get any aid. Then our own Department of Justice informs the Italian people that if any of them ever hope to migrate here they can never come to the United States if they voted the Popular Democratic Front ticket. And on top of that, we establish a base in Tripoli, and up and down the Mediterranean our fighting vessels are on parade. Yes; that is intervention, it is intervention of the rawest kind. It is intervention that some day Americans will consider a blot on our history....

### **What Is Wall Street Afraid Of?**

What are these men of Wall Street afraid of? They tell you it is communism, but what are they really afraid of? They are afraid of a people who will take over, win the election ... [and] insist that these basic industries must be nationalized, ... placed under public ownership. When that happens the big stake that Wall Street has in this election will be lost.

And for that, we engage in war plans and launch a war policy.

America is not threatened by attack from anyone, and that is a fact that cannot be denied no matter how many newspapers and how many radio commentators may be employed to say the contrary. What do they mean by attack? They mean attack on their entrenched exploitation of the people of Italy.

And what I am saying about Italy can be applied to France, and it can be applied to many, many of the recipient countries under this plan.

Mr. Chairman, whom are we helping in Italy? We are not helping the peasants; we are not helping the small-business men of Italy; we are not helping the workers. Why, the Export-Import Bank authorized loans in an amount of \$100,000,000

♦♦ MARSHALL PLAN ♦♦



*El Taller de Grafica Popular* issued a folio of anti-war pieces for the American Continental Congress for Peace in Mexico City in 1949. This woodcut appeared in the October 1949 *Masses & Mainstream*.

♦♦ Credit: J. Chavez Morado.



to Italian industries in August of 1947. So far loans of \$22,000,000 have actually been made. To whom? To Pirelli—rubber—in which Wall Street now has investments. Who are the people in this firm? Those who backed Benito Mussolini from 1922 until after our boys fought and died on the Italian peninsula. Yes; to Montecatini—chemicals—into which Wall Street has moved, and who financed Mussolini from the march on Rome until after Americans shed their blood and rid the world of him. A loan was made to Fiat, the automobile crowd that sustained Mussolini with their money and their influence, which also has been partially taken over by our own industrialists.

As against that program we have offered our own program. We want rehabilitation of Europe, but we want it on a basis that is not political. Fiorello LaGuardia died for that principle. He fought hard and long for it at the United Nations. Only through a United Nations agency can rehabilitation of Europe and the rest of the world take place. . . . I have introduced that principle in the form of a bill [the Peace and Reconstruction Act of 1948] for economic and financial assistance through the United Nations, with Isacson (ALP-NY) and Sen. Taylor (Dem-Ida). This bill will give you a chance, if you want to really rehabilitate Europe . . . by the only nonimperialistic way, through the United Nations. . . .

I am opposed to the bill, because it is basically legislation for big-trust control of the world. I never double talk. However, I am a realist, and I know that this bill is going to pass. Therefore, I shall support every effort to guarantee employment to 14,000,000 Negro people [and to protect them] against discrimination which this bill permits. The amendment provides, in effect, that the portion of the \$6,700,000,000 that is to be spent under this bill [for foreign aid] which is to be paid to manufacturers, processors, firms, and to transportation and distribution firms and corporations, shall be spent in accordance with the principles of fair employment practices. . .

Now, this money comes from everybody. This money comes from all the American taxpayers. It comes from Negroes, whites, Jews and Gentiles. Therefore, why provide for the

further enrichment of those firms and persons that practice discrimination in employment because of race, color, or creed? I address my remarks now directly to the Committee on Foreign Affairs. You met this morning and you accepted an amendment to include fascist Spain under this bill. Now I am asking you: Will you accept this amendment to make certain that Negroes will not be discriminated against in employment, by those firms, individuals, and corporations that will be benefited by this bill? . . .

## MARCANTONIO WAS RIGHT

♦♦ Terry Carroll ♦♦

*Terry Carroll is a graduate student of modern history at San Francisco State University who worked on Philip Sharnoff's sections 25 and 40, and on this subsection.*

Representative Marcantonio's denunciation of the Marshall Plan in 1948 proved to be both accurate for his time and prophetic. Whatever the intent of the Truman Administration and Congress, they waged a war on labor in the restoration of Europe and its capitalist economy, and in the containment of Soviet influence.

As Marcantonio noted so convincingly, wherever the United States sought to bolster the Italian economy it did so at the expense of decent, hard-working laborers, the very people who had suffered the most during the war and in the pre-war depression. His assessment of the Italian situation parallels the situations in Germany, France, and Britain, as well as most of the rest of Europe.

Secretary of State George C. Marshall first brought the Plan to the public in only vague terms, through a Harvard commencement speech on June 5, 1947, as he was accepting an honorary degree. The speech was filled with idealism and statements of non-partisanship:

Our policy is directed not against any country or doctrine but against hunger, poverty, desperation, and chaos. Its purpose should be the revival of a working economy in the world so as to permit the emergence of political and social conditions in which free institutions can exist. . . . Political passion and prejudice should have no part.

But Marshall also buttressed his pledge with a thinly veiled threat against the Soviet Union and Western European communists:

Any government which maneuvers to block the recovery of other countries cannot expect help from us. Furthermore, governments, political parties, or groups which seek to perpetuate human misery in order to profit therefrom politically or otherwise will encounter the opposition of the United States.<sup>1</sup>

These threats were ironic in characterizing the U.S. plan as a gesture of non-discriminating charity, in light of the actual profits the U.S. gained from those for whom Marshall stated his concern.

But the Marshall Plan has received good reviews by U.S. historians. And though virtually all recognize it as having wielded Cold War weapons to hinder Soviet influence—as part of the “Truman Doctrine”—few take the hard look presented here. Indeed, the Marshall Plan was a grand idea if seen in its purest form—like the New Deal on an international level—and great in many of its long-term economic and psychological achievements. But few of these historians have looked at the Marshall Plan in terms other than gross national products, successful debt payment, and industrial profits. What about the effects of the Marshall Plan on unemployment, wages, public profit, and national sovereignty? In addressing such questions a strong argument can be made against the Plan.

Professor Gabriel Kolko of Rutgers, in collaboration with Joyce Kolko, having studied the Marshall Plan at length, make such an argument in their book *The Limits of Power*.<sup>2</sup> They demonstrate how the United States perpetuated human misery and profited from it, in the name of permitting the emergence of political and social conditions in which free institutions can exist.

In its most general terms, the administrators of the Marshall Plan sought in Europe the “achievement of a ‘healthy economy independent of extraordinary outside assistance.’”<sup>3</sup> This was to be achieved through joint programs using \$13 billion in U.S. aid and the same in European counterpart funds. The Economic Cooperation Administration (ECA) was administered by the United States, and the Committee of European Economic Cooperation (CEECE) was administered by the 16 participating European nations. The Soviet Union and six Eastern European nations declined to participate after their

initial interest in the preliminary talks in July 1947. Their main objection was to the loss of national sovereignty; they were insulted that a recipient nation would not be the sole administrator of its aid.<sup>4</sup> They formed their own Council of Mutual Economic Assistance (COMECON).

With the Soviet Union out of the program, battle lines were clearly drawn.<sup>5</sup> It became obvious to those in Washington that the success of the Marshall Plan would subsidize United States exports and bank loans, thereby pulling the U.S. out of its postwar recession and preventing a pending depression. It would also affirm the U.S. as the leader of the Western World.

### How Were These Goals Realized?

First, participating countries were to enter a regimen of "strict banker's criteria of balanced budgets, stable currencies, high profits to entice investment, and low wages to discourage consumption."<sup>6</sup>

In West Germany, the first decree in June 1948, which reduced the money supply by a ratio of 10 to 1,

virtually wiped out the small savers and rewarded the hoarder, the black marketeer, and those who possessed real property.... Goods reappeared from the hoards, and as a result of pent-up demand a wild spending spree followed. Hoarders made gigantic profits within several months—conservatively estimated at 3 billion new D[eutsche] M[arcks]—and in the process transferred the bulk of the new money to the most anti-social and reactionary elements of the population. The Germans conducted a poll shortly after the reform and naturally found that low-income groups had suffered most and were alarmed about the future, while business elements were enthusiastic.<sup>7</sup>

In France the government proceeded with its conservative policies with new confidence, and then in March 1948, prices rose sharply as the government removed all controls on food and clothing at the same time that it strictly enforced wage controls. The devaluation of the franc in January 1948 eventually increased the cost of living and also general production costs by 20 percent. Although the French workers in 1947 paid 70 percent of all personal income taxes in what *Le Monde* called a tax system "... more iniquitous than that which provoked the French Revolution," and though they were chiefly responsible for the rise in production, their standard of living continued to decline precipitously.<sup>8</sup>

In October 1948, the French workers responded with a gen-

eral strike, which did not remain peaceful. Most of the rest of the Marshall Plan countries on the Continent experienced similar injustices.

### **Britain Finds Its Own Success**

Britain, on the other hand, had already begun to improve its economic position before the ERP was under way.

By the second quarter of 1948 British manufacturing output was 24 percent higher than in 1938 and 15 percent above 1947, and by the last half of 1948 Britain had a small current account surplus with the world as a whole. . . . Indeed, the British felt confident enough to cut their request for aid allocation with the OEEC by one-quarter for the second year, though they won no praise for their gesture. The moderate welfare policies of the Labour Party continued to annoy Washington, which believed they were extravagances the British could not afford while receiving United States aid, and grumbles as to subsidizing socialism were heard in Congress. The fact that Britain was making the most impressive advances in recovery in no way lessened the complaints.<sup>9</sup>

Government spending for social services and welfare was not condoned in any way by the ERP administrators, although they favored government subsidies to European private industry, denying that this was a parallel scheme to aid a different sector. Throughout the European Recovery years (1948-53) there remained a high, constant level of unemployment, beyond those millions of low-wage-earning workers already mentioned. The unemployed and the underpaid kept profits up for the few, but in the big scheme of things were a drag on the economy, which is the usual problem. [*See table 1.*]

### **Rewarding Nazis**

The British began taking steps to nationalize major industries—iron, steel, and coal—breaking up old companies that had become multi-functional conglomerates, and appointing equal representatives of labor and business to manage them. At the same time, the United States was taking opposite steps with German industry.

On November 10, the United States reversed the

British program and placed the entire industry of the Ruhr in the hands of twelve German business "trustees," instructing them to

♦♦ TABLE 1: REGISTERED UNEMPLOYED\* ♦♦

	Britain		France		Germany		Italy	
	No.	%	No.	%	No.	%	No.	%
1948	310	1.5	78	—	592	4.2	1,742	8.9
1949	308	1.5	131	—	1,230	8.3	1,673	8.6
1950	314	1.5	153	—	1,580	10.2	1,615	8.3
1951	253	1.2	120	—	1,432	9.0	1,721	8.8
1952	414	2.0	132	—	1,379	8.4	1,850	9.5
1953	342	1.6	180	—	1,259	7.5	1,947	10.0

\* Numbers in thousands, and percentages of approximate workforce<sup>10</sup>

reorganize the industries and vesting them with all the rights of ownership, excepting the distribution of profits, until the German people could "choose" between public and private ownership. If they chose private, as the United States intended to see that they did, the trustees could hope to become owners as well. To head the trustees, the Military Government appointed Heinrich Dinkelbach, who had played a leading role in the Ruhr under Hitler, as had nine of the twelve trustees.<sup>11</sup>

Complaints by German unions were ignored because "the United States had already decided that the Communists dominated the trade unions. . . ."<sup>12</sup> With the war over and the fascists no longer running amok, these former good Nazis were to be used to the benefit of the free world by letting them do what they do best: run efficient capitalist industries.

## NOTES

1. "Secretary of State George C. Marshall's Address at the Commencement Exercises of Harvard University, Cambridge, Massachusetts, June 5, 1947," from Charles L. Mee, Jr., *The Marshall Plan Revisited: The Launching of Pax Americana* (New York: Simon & Schuster, 1984), Appendix II, pp. 271-273.
2. Gabriel and Joyce Kolko, *The Limits of Power: The World and the United States Foreign Policy, 1945-1954* (New York: Harper & Row, 1972).
3. Imanuel Wexler, *The Marshall Plan Revisited* (Westport, Ct.: Greenwood Press, 1983), p. 250, quoting from the Economic Cooperation Act of 1948.
4. Mee, p. 362, citing V.M. Molotov, *Problems of Foreign Policy* (Moscow, 1949), p. 464.

5. John Gimbell, *The Origins of the Marshall Plan* (Stanford, CA: Stanford University Press, 1976), p. 4.
6. Kolko, p. 429.
7. Ibid., p. 433, citing Thomas Balogh, *Germany: An Experiment in "Planning" by the "Free" Price Mechanism* (Oxford, 1950), pp. 21-22; Horst Mendershausen, "Prices, Money, and the Distribution of Goods in Post War Germany," *American Economic Review*, Vol. 39 (1949), pp. 663-664; United Nations, *World Economic Report—1948*, p. 154; Karl W. Roskamp, *Capital Formation in West Germany* (Detroit, 1965), pp. 44-45.
8. Ibid., pp. 439-440, citing Val R. Lorwin, *The French Labor Movement* (Cambridge, 1954), p. 137.
9. Ibid., p. 443, citing from *Business Week*, October 9, 1948, p. 117; *The Economist*, November 27, 1948, p. 864-866; April 9, 1949, p. 660; Thomas Balogh, *The Dollar Crisis: Causes and Cures* (Oxford, 1950), p. 114; U.S. Senate Committee on Foreign Relations, *Hearings: Extension of European Recovery*, 81:1, February 1949 (Washington, 1949), p. 49; Economic Cooperation Administration, Special Mission to the United Kingdom, *The Sterling Area: An American Analysis* (London, 1951), pp. 71-75; UN, *World Economic Report—1948*, p. 63.
10. B.R. Mitchell, *European Historical Statistics 1750-1975* (New York: Facts on File, 1981), pp. 177-179.
11. Kolko, p. 436.
12. Ibid., pp. 436-437.

## THE SOVIET VIEW

### ♦♦I.S. Kremer♦♦

*This is a short excerpt from chapter 9, "The USA and the Capitalist Countries of Europe After the War. Aggressive Blocs Emerge" in A Short History of the World, vol. 2, pp. 372-373, 376, edited by Professor A.Z. Manfred (Progress Publishers, Moscow 1974).*

The American bourgeoisie had suffered no tangible losses in the war. Mushrooming defence orders had expanded U.S. industrial production by 2.5 times. The United States accounted for over 60 per cent of the industrial output of the capitalist world, 33 per cent of its exports, over 50 per cent of its merchant marine tonnage, and 70 per cent of its gold reserves. The defeat of Germany and Japan had removed, at any rate for a long time to come, the American bourgeoisie's keenest competitors in the world markets.

Shortly after the Truman Doctrine was proclaimed the U.S.

governing circles elaborated a programme of economic aid intended to salvage bourgeois Europe, weaker now as the result of the war and the successes of the Left-wing, democratic forces. Called the Marshall Plan, after the secretary of state of the United States, it was intended to rally the capitalists of various countries behind the United States to combat the Soviet Union and the international workers' and national liberation movements. The American imperialists wanted to take advantage of the economic difficulties encountered by the newly-emerged People's Democracies in order to lure them away from the socialist camp and into the orbit of their own influence, as in the case of Czechoslovakia, which they tried to enlist in the Marshall Plan.

The bourgeois politicians in the key posts in the various West European countries willingly fell in with the American programme in spite of the fact that it involved serious infringement of their countries' sovereignty and considerable strengthening of the economic positions of U.S. monopolies in Europe. American executives began to control the finances and foreign trade of the countries receiving U.S. "aid". As a sequel of the Marshall Plan, measures were initiated by the governing classes of the West European countries to curb the Communist Parties and other progressive organisations.

In regard to some of its aspects the Marshall Plan was a failure. Thus, its authors failed in their attempt to breach the unity of the socialist countries and draw them into participation in the plan. Nor were they able to cause any visible abatement of class warfare or any decrease of communist influence in Western Europe. On the whole, however, the Marshall Plan did help bring a measure of stabilisation into the capitalist system. Its greatest contribution was to the recovery of the West German economic potential, which was one of the main aims of the American plan. This was entirely in line with the policies of the Western powers in respect of the German problem.

When the war ended the share of the United States in the industrial output of the capitalist world amounted to 60 per cent; but by 1948 it had dropped to 56.4 per cent, the vanquished countries, that is, West Germany, Italy and Japan, accounting at that time for 7.9 per cent. By the end of the first five post-war years the United States' share in the global capitalist output had dropped to 53.3 per cent, while that of West Germany, Italy and Japan had jumped to 11 per cent. The shares of Great Britain and France remained unchanged over



the period 1948-50. Thus we see the but recently vanquished rivals of the United States, Britain and France, recovering once again and rapidly strengthening their position in the capitalist system. By 1958 West Germany had forged ahead of France in industrial production, and by 1960 she ranked second in the capitalist world.

There were, however, even more striking changes in the world capitalist market. Immediately after the defeat of the fascist bloc West German, Italian and Japanese exports stood at zero. Even two years later their exports accounted for only slightly over 2 per cent of the aggregate capitalist exports; while the United States still accounted for about 33 per cent of that aggregate. But by 1962 the share of the United States had dropped to 17.3 per cent, while that of the three defeated countries had jumped to 18.5 per cent. Moreover, while in the early post-war years the United States monopolies were paramount in the economy and foreign trade of the capitalist camp, the rapid recovery of their competitors cleared the way for keen rivalry within that camp.

## **37 ♦♦ THE CIO EXPELS ONE MILLION WORKERS**

### **PRESIDENT MURRAY'S REPORT**

♦♦ Ben Gold ♦♦

*For author note, see section 27.*

In the report that President Murray prepared for the 1949 CIO convention, which was distributed to all the delegates, it stated that only two unions had won wage increases in 1948: the Fur and Leather Workers Union under the leadership of Ben Gold and the International Longshoremen & Warehousemen's Union under the leadership of Harry Bridges.

Only two unions! And why didn't the millions of workers in the other CIO unions win wage increases? The cost of living was rising and the profits of the bosses were rising, too. In all the unions, workers were protesting that their leaders were ignoring their demands for higher wages. There was not one word in Philip Murray's report about the inflation, about the army of unemployed, or about the need for organizing the open shops.

Instead, the report concerned itself with a venomous attack on those unions which were a minority in the CIO, "which carry on propaganda against the Marshall Plan, the aim of which is to help the hungry nations, and also against the NATO plan, whose aim is to defend the civilized nations against Communist despotism." These minority unions, the report continued, had carried on propaganda to try to elect Henry Wallace president of the United States, and the leaders

of these minority unions were enemies of the labor movement.

### The 11th CIO Convention in 1949

In the discussion at the CIO convention on the report President Murray delivered, Walter Reuther really distinguished himself with his wild attack on the Communists. They were the enemies of the labor movement; every union must remove every Communist from positions of leadership, and the minority unions which carried out "Communist policies" must be expelled from the CIO.

Isador Pickman, the district director of the Fur and Leather Union locals in the New England states, told the convention briefly that neither the AFL nor the CIO had been able to organize the leather workers, but the Furriers Union, which had been condemned and persecuted by the AFL leaders on the excuse that they were a "Communist union," had managed to organize the thousands of leather workers, and had fought for and won higher wages, a shorter work week and other improvements in the working conditions. "I am amazed," he said, "that the CIO leadership, instead of fighting for the interests of the workers, is using all of its talents and its strength to fight the Communists who helped to build the CIO and who are devoted members of the CIO."

The chairman of the Committee on the Officers' Report answered Pickman that the Fur and Leather Workers Union was not included in the list of "minority unions."

I also appealed for unity when I spoke, and President Harry Bridges did the same in his speech.

But the majority of the delegates had been selected as "reliable," and they applauded loudly when Emil Rieve of the Textile Workers Union screamed that he had waited a long time, and the day had finally arrived on which the CIO would rid itself of the Communist elements. And Walter Reuther shrieked that the CIO could no longer tolerate the unions which carried out "Communist policies." "From today on," he shouted, "The CIO will stick strictly to the decision: 'Carry out or get out!'"

The convention expelled the [United Electrical, Radio & Machine Workers Union and Farm Equipment Workers Union]. Two judges were selected to conduct trials against [the] unions that were accused of carrying out Communist

propaganda—Emil Rieve (Textile) and Jacob Potofsky (Amalgamated Clothing Workers).

It was a lucky day for the bosses and for all the reactionary union haters!

### **My Conversation with Philip Murray**

I was no longer a member of the CIO Executive Board. It was no secret that I was a member of the Communist Party, and we had nominated, and the convention had accepted, Pietro Lucchi to represent the Fur and Leather Workers Union on the CIO Executive Board. Finally, the convention was over.

My friends demanded that I telephone President Murray and tell him that I wanted to speak to him about a very important matter. I did not agree with them. The argument was settled very quickly when the telephone rang. It was President Murray inviting me to come to discuss an important issue with him. He welcomed me in his comfortable hotel suite, cordially and politely, as if nothing out of the ordinary had taken place at the convention.

He began the meeting by making accusations against the Communist Party. He complained that the *Daily Worker*, the Communist newspaper, was calling him names, saying that he was serving the bosses, not the workers, and accusing him of being a "warmonger" because he supported the Marshall Plan, which was helping the hungry nations that had been devastated by the war, and because he supported NATO, whose goal was to unite the European nations so that they could protect their democracy and peace in the world. He continued to explain that the "minority unions" knew that this was the policy of the CIO and that they had no right to fight against this policy. He claimed that the leaders of the "minority unions" posed as idealists who were fighting against the reactionary leaders of the CIO. "President Gold," he said to me, "I will tell you what kind of idealists they are!" And he told me about a president of an important union who had gone to a conference to help his union settle with the employers in order to avoid a strike, but had stopped for a few days in Chicago, gotten drunk, had run around with women, and had forgotten about the union.

I knew all about this incident. I knew that union leader. He was an able, energetic and devoted leader, but such things do happen. He did sometimes get drunk and lose all sense of time.

"President Murray," I interrupted him, "the union president you are talking about is not a member of the Communist Party."

"Yes, yes, I know he is not a party member," Murray answered, "but he is a left-winger and carries out Communist policies."

He then told me a scandalous story about a second president of a union which was fighting against the CIO policies. Murray said he knew that this man was not a Communist Party member either, but "he is a sympathizer of the Communist Party and carries out Communist policies in his union. He—"

Again I interrupted: "President Murray, are you certain that what you are telling me about these union presidents is true? Are you sure your information comes from reliable sources?"

He answered me that the FBI sent him reports about the presidents of the left-wing "minority unions."

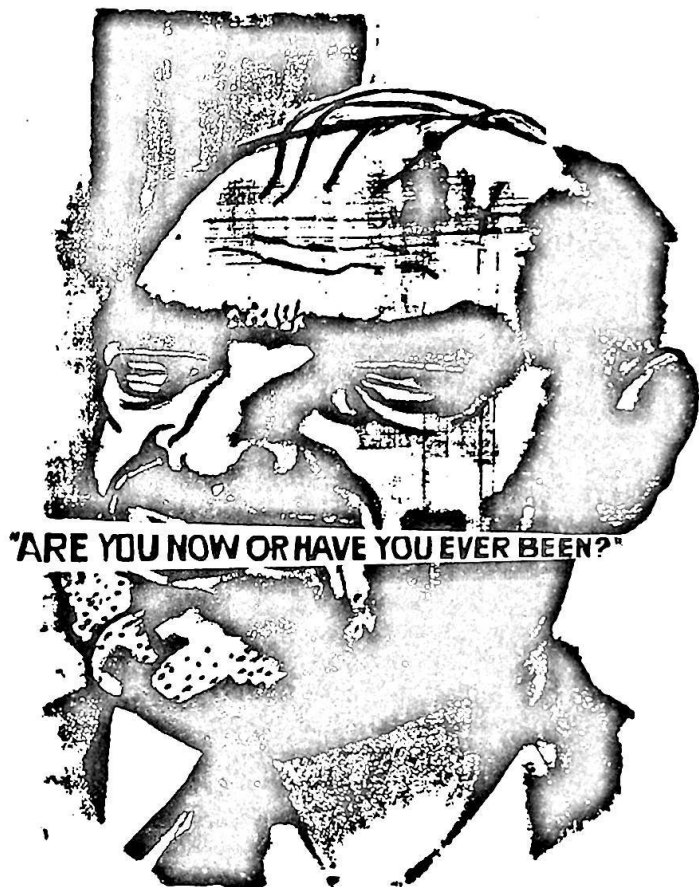
I was surprised by his answer and I asked him if the FBI sent him reports about my activities.

President Murray's face broke into a smile. "About you? That's what I really want to talk to you about. Your life is similar to mine, President Gold. I was sixteen years old when I came to America, and I worked in a coal mine. I became active in the union. I became a union organizer and then later a vice-president of the miners' union. And I don't live in luxury! I still live in the same house I bought twenty years ago.

"You, Ben Gold, were also young when you came to America. You became a fur worker. You became active in the Furriers Union. The workers elected you as union manager, and later you were elected president of the International. And I know what wages the union pays you. I know where you live—in a small, rented apartment. The union, the interests of the workers, are more important to you than a high salary and a life of luxury. Sooner or later, in the interests of the workers, you will have to resign from the Communist Party. You will have to, because of the Taft-Hartley Law. So why don't you resign from the Party now and take your place on the CIO Executive Board, and the Fur and Leather Workers Union will, as before, have its honored place in the CIO?"

I answered that if I had to resign from the Communist Party because of the fascist Taft-Hartley Act, I would still not be resigning from my convictions [about the Marshall Plan and NATO]...

♦♦ "ARE YOU NOW OR HAVE YOU EVER BEEN?" ♦♦



Frank Rowe created this silkscreen image of Senator Joseph McCarthy for Meiklejohn Institute's 1980 Symposium, "Are You Now or Have You Ever Been . . . ?"

♦♦ Credit: Frank Rowe.

"[I]nstead of fighting against Communists and left-wingers in the unions, the CIO should be fighting against Taft-Hartley, against the wild wave of reaction that is sweeping the country and for higher wages for the workers. That is the duty of the leaders of the CIO!"

In answer to my long speech, President Murray said that if the CIO would accept the program I had spelled out for him, it would bring the CIO into conflict with the government. "A revolution!" he emphasized.

"No," I answered. "Not a revolution! I want to tell you something about John L. Lewis." I knew that if I would mention Lewis's name, our conversation would calm down.

I told Murray that at the Executive Board meeting held after one of the CIO conventions was over, several speakers, including Lewis among them, had condemned Communism and the Communists and had said that there was no room in the CIO for Communist leaders.

When the Executive Board meeting was over, I telephoned Lewis and asked him if I could have a short talk with him on an important matter. When I met with him, I told him that I and my friends from other unions were very much upset by the attacks on the Communists that had been made at the meeting.

"John didn't even let me finish my argument. He looked surprised and asked me: 'You didn't understand? You know that our enemies are ranting that the CIO is packed with Communist leaders, and that the Dies Committee [on Un-American Activities] will soon be calling us for a hearing. We have to be ready for that. We have to have the speeches of our major leaders down in black and white in order to wipe the floor with the Dies Committee when they dare to call us!'

"Do you remember what I said before I closed the meeting of the board?" Lewis asked me. He had stressed that America is a democracy, and that the American people would never submit to a Communist or a fascist dictator who hid behind a mask of patriotism.

"Our goal is the machine!" he explained to me. "We must break the reactionary machine! We must have our representatives in Congress and in the Senate who will represent the millions of workers and curb the reactionaries, the enemies of the workers."

"And I, President Murray, agree with John L. Lewis! He wasn't talking revolution with me! He was talking about

democracy, about the CIO having a program that will safeguard democracy and protect the workers against the reactionary agents of the bosses."

With a smile and in a somewhat weak voice, Murray answered me: "John? Well, John—that was a different time—other problems—many, many changes—John!—well, John—John hasn't been the leader of the CIO for a long time now."

Our conversation was over.

Soon after, the IFLWU withdrew from the CIO, certain that otherwise a stacked trial committee would be appointed and would order its expulsion.

## THE CIO DESTROYS ITS OWN

### ♦♦The Editors♦♦

In May, 1949, the Congress of Industrial Organizations Executive Board banned Communists from holding office in the CIO unions and from membership on the CIO Executive Board. It also demanded the resignation of officers who did not agree with its decisions. The Board set up two major tenets of conformity: approval of the Marshall Plan condemned by Congressman Vito Marcantonio [*in section 36*] and disapproval of the Progressive Party that ran independent third party candidates in 1948 [*described in section 34*].

By November 1949, the 11th Convention of the CIO was ready to reverse the famous democratic tradition of the CIO, which President Murray had stated clearly in 1946 at the Steelworkers convention [*see section 27*]. The convention passed a resolution that: "We can no longer tolerate within the family of CIO the Communist Party masquerading as a labor union."

The first successful U.S. industrial union federation then proceeded to cut off its members as a giant step toward its ultimate demise.

The convention voted to expel the United Electrical, Radio & Machine Workers of America (UE), and to charter the International Union of Electrical, Radio & Machine Workers (IUE-CIO) to take over its members, contracts, and jurisdiction [*see section 45*]. The convention voted to expel the United Farm Equipment Workers [*see section 42*]. The convention voted to try five additional international unions to decide whether they should also be expelled.



From then on, the machinery of destruction worked rapidly and efficiently for the CIO. Workers who signed up slowly over the years, or in hundreds or thousands during successful strikes and organizing drives, were now expelled in tens of thousands. Between November 1949 and August 1950, the CIO Executive Board kicked out ten unions: the United Electrical, Radio and Machine Workers; the Farm Equipment Workers; the Mine, Mill and Smelter Workers; the United Office and Professional Workers; the United Public Workers; the American Communications Association; the International Longshoremen's and Warehousemen's Union (including the Fishermen and Allied Workers, which had affiliated with ILWU); the National Union of Marine Cooks and Stewards; and the Food, Tobacco, Agricultural & Allied Workers Union. The International Fur and Leather Workers Union withdrew before it, too, was expelled.

In all, eleven progressive unions with almost a million members were forced out of the CIO for being "Communist-dominated." Only 14 years earlier, in the depths of the Depression, the 1935 AFL convention had first adopted an anti-Communist resolution and then proceeded to expel the Committee of Industrial Organization and its eight international unions for promoting industrial unionism rather than craft unionism. Mine-Mill and Fur & Leather had been among the eight expelled by the AFL and UE had joined soon after. Now these founding CIO unions were expelled by the CIO.

But was that all there was to the Cold War expulsions from the CIO, whether an international was pro-Communist in 1950?

## UNSTATED REASONS FOR THE PURGE BY THE CIO

♦♦ Abram Flaxer ♦♦

*Testimony of the president of the United Public Workers of America in Hearings Before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate, "Subversive Control of the United Public Workers of America," October 5, 1951, p. 95.*

**Mr. Connors:** You were expelled from CIO, . . . And the reason . . . was that the CIO charged that the UPWA followed the

Communist line, is that correct?

**Mr. Flaxer:** That was the reason stated. It is not the reason.... we had a situation in the CIO that involved a lot of important organizational policies. For example, at one convention Mr. Murray wanted an increase in per capita tax. We weren't against an increased per capita tax if we could see a valid reason for it. We wanted to know what the need was for it. We never were able to get a financial statement. I have been on the CIO executive board from the time the CIO was organized until our expulsion. I had never seen a financial statement given to us.

**Senator Watkins:** Not since the Taft-Hartley law was enacted?

**Mr. Flaxer:** I never saw it.... I made several requests for it.

**Senator Watkins:** They refused to give you a copy?

**Mr. Flaxer:** Yes, ... As for the southern organizing drive, I had had some very sad experiences with CIO organizing drives in the South when we were down there. Unfortunately, the policy of organizing Jim Crow locals was pursued on the theory that you have to organize in the South on the basis of the traditions of the South. I didn't think that the organized labor movement could accede to such conditions as segregation, as Jim Crow. Our union tried to organize on a non-Jim Crow basis and we were dealt with rather severely by some of the CIO organizers down there when we tried to do that. Apparently we ... set an example that they did not want to abide by ...

*Editors' note: Of 539 delegates to the 1951 CIO National Convention, fewer than 10 were Black.*

## 38. ♦♦ THE SUPREME COURT SPEAKS

♦♦ Victor Rabinowitz ♦♦

*Editors' note: For background on ACA v. Douds, challenging the Taft-Hartley nonCommunist oath, and the companion Steel Workers case, see section 32.*

*For author note, see section 30.*

### Section 9(h) vs. the First Amendment

In our brief for ACA to the Supreme Court, we went into the history and background of the First Amendment with its guarantees of freedom of thought. We discussed its origins in the Revolutionary War period around 1776 and before the adoption of the Constitution, and the many cases on freedom of speech after the First World War. We also emphasized the vagueness of the terms of the oath and argued that they made the oath requirement a violation of the Fifth Amendment. What political actions would be used to prove to a jury that a union leader lied when he swore he was not a "member of" or "affiliated with" the CP or with any organization that "believes in" or teaches "the overthrow of the United States Government by force"?

What if a leader who took the oath led a strike in a basic industry? Would that prove "affiliation" or "support" if the CP also supported the strike?

As often happens on a hot legal issue, the lawyers working on these cases did a great deal of nose-counting. We needed five votes to win in the United States Supreme Court. At the time,

the Court included four members who were reasonably sure to vote against the constitutionality of the Act. For years Justices Rutledge, Murphy, Douglas and Black had been writing stirring opinions upholding the fullest scope of First Amendment rights. In 1940 in *Thornhill v. Alabama* [310 US 88], Justice Murphy held that peaceful picketing is a form of free speech. People cannot be arrested for standing in front of a shop gate during a strike any more than they could be arrested for standing on a soapbox and speaking. In *Bridges v. California* [314 US 252] in 1941, Justice Black wrote a strong opinion upholding the right of West Coast labor leader Harry Bridges to exercise his freedom of the press. It was not contempt of court to write a letter warning about the effect of a pending decision of a state court on the International Longshoremen's and Warehousemen's Union, according to the liberal majority of the Court. In 1943 in *Schneiderman v. United States* [320 US 118], Justice Murphy wrote another stirring opinion for the Court, holding that the United States could not strip away Schneiderman's citizenship because he was a member of the Communist Party in 1929 when he became a citizen. In 1945 in *Bridges v. Wixon* [326 US 135], Justice Murphy wrote a strong concurring opinion, saying that Harry Bridges, president of the ILWU, should not be deported from the United States for his political views. The majority held that the government had not proved Bridges was a member of the Communist Party or affiliated with it. In 1945, in *Thomas v. Collins* [323 US 516], the majority held that a state could not require a union organizer to register and get a permit in order to sign workers up into unions. And in *Takahashi v. Fish & Game Commissioner* [334 US 410] in 1948, the liberal majority held that a state could not deny a fishing license to someone because he was an alien ineligible for citizenship due to nationality or race.

None of these cases bore directly on the issue in *ACA v. Douds*, but all showed an enlightened view of First Amendment rights, and freedom of speech and assembly.

Since Rutledge, Murphy, Douglas and Black had written and voted in this vein so often, it was reasonable to expect their favorable votes in *ACA v. Douds*.

Justice Jackson, on the other hand, was totally unpredictable. But his stirring language in *West Virginia Board of Education v. Barnette* gave us hope that he also might find himself voting to strike down the law. In 1943, in a case upholding the

First Amendment rights of Jehovah's Witnesses, he had written:

If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein. [319 US 624, 637-638 (1943)]

If Jackson voted with us, that would give us a 5-4 majority. Frankfurter, at best, seemed a doubtful friend, and the others were hopeless.

### Delay—Then Disaster

A week or two before our case was to be argued, Philip Murray requested that our *ACA* case be adjourned until early in the next term of the Court. He advanced several reasons. First, the Steel Workers' case was not yet ready for argument, and the delay would enable both cases to be argued together. Further, he advised us that President Truman had suggested a postponement of the argument because he expected a Congressional effort to amend the Taft-Hartley Act by striking out section 9(h) or, at least, modifying it substantially. Truman thought it would be impossible to amend Taft-Hartley if the Supreme Court ruled in our case that it was constitutional.

What should *ACA* do?

The officers engaged in an intensive debate for several days. I opposed any adjournment of the case. It seemed to me that any delay would be harmful and that the argument by the Steel Workers was likely to blur the civil liberties issues in the case. I did not believe that Congress would make any real effort to strike sec. 9(h) from the Act, and if the effort were to be made, I did not believe it would be successful. And, finally, I felt the issue was of such great importance that if the President really thought the statute was unconstitutional, he should instruct the solicitor general to so advise the Court.

I was voted down and the argument in our case was adjourned until the next October.

Needless to say, Congress never made an effort to amend the law.

Disaster struck in the summer of 1949. Justice Murphy died in July. Justice Rutledge died in September. A few days before the argument, Justice Douglas fell off a horse in the mountains

of his native state of Washington and injured himself sufficiently so that he could not participate in the case.

Of our stalwart band of four on whom we counted to support our attack on the constitutionality of the Act, only Justice Black was left.

Tom Clark was appointed to succeed Justice Murphy, but he disqualified himself because he had been Attorney General when the law was before Congress. Justice Minton was appointed to succeed Justice Rutledge, but he did not take his seat on the bench until the day after our argument. And so we argued, on the first day of the October term in 1949, to only six Justices.

Solicitor General Perlman argued for the government; I argued for ACA. Immediately after our case, Tom Harris argued for the Steel Workers.

The arguments were spirited.

We argued that the effect of 9(h) was to make it impossible for a person who could not sign the oath to be an officer of a labor union. Unions have a constitutional right to elect officers of their own choosing, we contended, and those officers have a right to hold any political beliefs.

We further argued that the First Amendment to the Constitution requires that everyone be permitted to believe and advocate anything, so long as there is no "clear and present danger" of public evil. I said that Communists in unions pose no such danger.

I also reminded the justices that the Constitution forbids Congress to pass a bill of attainder. That means Congress cannot outlaw a group of people, or forbid them to act. On the contrary, each person must be tried individually for acts the person commits. Therefore, the government cannot identify people according to political belief, national origin, or occupation, and then pass a law against them. There can be no exceptions to this basic constitutional rule.

I also argued that the oath required a person to swear he was not "affiliated" with and did not "support" illegal or "unconstitutional methods" of social change. I said these words were so vague that they did not give people a clear warning when they might violate them. The oath was unconstitutional because it could lead to a criminal prosecution without notice.

What was left of the Court was decidedly hostile to my presentation.

After the argument, all we could do was wait for the decision

of the Court, and see what the CIO leadership would do in the meantime.

### Five to One in 1950

By the time Chief Justice Vinson delivered the majority opinion in *ACA v. Douds*, in the spring of 1950, the Taft-Hartley oath had wreaked havoc in the CIO. The Court upheld the oath (5-1), and Vinson gave the Court's answer to each of our arguments (*American Communications Ass'n, C.I.O. v. Douds*, 339 U.S. 382 (1950)).

To our argument that unions have a constitutional right to elect officers of their own choosing, the Court said, true: unions are free to elect Communist officials and those officials are free to hold Communist or other revolutionary views. But in that case they just can't use the machinery of the National Labor Relations Board.

Vinson started out with the idea that "political strikes" might be fomented by Communist labor leaders, for their own nefarious purposes. But soon he began talking about "these political strikes fomented by Communists" as an accomplished fact. "We are fighting against what Communists have done and might do again," he said. Since Taft-Hartley did not legislate against what Communists think or believe, only against what they do, he said, it was not thought control.

So the question arose: Do political strikes constitute "a clear and present danger" if Communist and other radical labor leaders are allowed to hold office? Would it not be better to wait until a political strike took place, then label it and outlaw it?

Vinson said that by that time, it might be too late. A political strike might come up too suddenly.

What about the serious charge that the oath is a bill of attainder?

Chief Justice Vinson had no problem here. He said that in World War II, U.S. citizens of Japanese ancestry were put in custody as a possible danger to the state. Therefore U.S. citizens who were elected to office in their unions could be forbidden to use the NLRB if they were Communists. He said that, like the anti-Japanese executive order, legislation against unions with Communist leadership was justified, in the name of national security: "The First Amendment requires that one be permitted to believe what he will. . . . It does not require that he be permitted to be the keeper of the arsenal."

## Justice Hugo Black Dissents

Justice Hugo Black dissented from the Court opinion in no uncertain terms. He said that beliefs are inviolate under the First Amendment to the U.S. Constitution. It has been said that the most tyrannical government is powerless to control the inner workings of the mind. Yet history records that the Greek tyrant Dionysius executed one of his subjects for *dreaming* he had killed the king—the dream showed a waking wish! That's why we need the First Amendment, Black insisted: to avoid thought control.

The Court had rationalized that 9(h) was necessary to protect the free flow of interstate commerce from "political strikes." But Black pointed out that the Commerce Clause in no way justifies a restriction on the right to think. "Freedom to think is inevitably abridged when beliefs are penalized by imposition of civil disabilities." Being forbidden to hold union office is a civil disability.

## TEST OATHS

Justice Black went on to say that test oaths have been used time and again to identify and outlaw opponents, as the French did against the Huguenots. "It helped English rulers identify and outlaw Catholics, Quakers, Baptists, and Congregationalists—groups considered dangerous for political as well as religious reasons. And wherever the test oath was in vogue, spies and informers found rewards far more tempting than truth."

**If you are concerned today about barring Communists from leadership in unions, the next step will be to bar them from political parties, Black said. Or, having begun with Communists, what is to prevent Congress from keeping members of other political parties out of union office?**

Finally, Justice Black dismissed the argument that Communists are uniquely unfit for leadership in the U.S. labor movement because they owe allegiance to a foreign power. He



pointed out that this same charge was made against Thomas Jefferson, who was said to be subversively loyal to France.

### Justice Jackson Adds a Few Words

Where did Justice Jackson range himself in this debate? Gone was his cry for liberty so eloquently expressed in the Jehovah's Witnesses case. He was at pains to point out how the Communist Party differed from all other political parties. The U.S. Constitution forbids the outlawing of Republicans or Socialists; why is it okay to outlaw Communists? Because, said Jackson, the Communist Party is controlled by a foreign government. It is a conspiratorial and revolutionary junta. It is designed to undo the Bill of Rights and is a "belated counter-revolution to the American revolution." To clinch his argument, Justice Jackson pointed out that ". . . Marx, Engels, Lenin and Stalin—not one of them ever lived in America, . . ."

According to Jackson, Communists have bored their way into the labor movement, where they lie in wait for further orders from abroad. Whereas ordinary U.S. political parties are fairly sloppy in their work and loosely knit, Communists are tight-knit and disciplined. Jackson pointed out that Congress has power to protect labor unions from corporate domination, so why not from Communist domination? According to ex-Party government witnesses, the Communist Party is no ordinary party, but a conspiracy. All party members must take part in all aspects of party policy. Therefore there is no question of falsely accusing a member of guilt by association.

Justice Jackson remarked, in a somewhat lighter vein, that certain honest labor leaders might resent having their loyalty questioned and having to avow that loyalty by signing an oath. He himself, said Jackson, did not relish having to file proof of ownership papers when getting a license for a car. But there are thieves among automobile drivers and Communists among labor leaders, so what can you do?

Jackson did have one disagreement with the Taft-Hartley oath as it was worded: it required a union officer to swear that he did not believe in the overthrow of the U.S. Government by force. He felt that this was getting into thought control. You can prosecute a person for perjury if that person swears falsely about Communist Party membership, but you cannot pin down beliefs, such as belief in the overthrow of the government. The law is not supposed to pry into a person's mind. That would

make any trial into a heresy trial: "I think it is time enough to lay hold of the citizen when he acts illegally. . . . We must let his mind alone."

In a footnote, Jackson commented that if his conclusion on the illegality on the part of the 9(h) oath had prevailed in the Court, a decision on the severability of the clause would be necessary, but under the circumstances no such decision was necessary.

Frankfurter came to a similar conclusion. He, too, disapproved of oaths relating to belief and concluded that since the court below had based its conclusion on the entire oath, part of which was unconstitutional, he could not affirm but would remand to give the plaintiffs the opportunity to obey merely the valid portions of section 9(h), namely, those relating to Communist Party membership. Neither Jackson's doubts nor Frankfurter's were, in the context of the Taft-Hartley oath, of the slightest significance. All of the justices but Black held the provisions of the oath relating to Communist Party membership to be valid, and three held the entire oath to be valid, thus effectively affirming the decision of the court below.

Shortly after we lost our ACA case, our District 65 case reached the Supreme Court (*Osman v. Douds*, 339 US 946 (1950)). The justices chose to decide this case without hearing a second argument; they evidently felt that the argument in the ACA case was sufficient. By this time Justice Douglas had returned to the bench. He joined Black in a vote to reverse. But Justice Minton, who was now a member of the bench, voted to affirm, which left the situation much as it had been. On this split vote (6-2), section 9(h) was upheld.

In the months after the ACA decision, most of the noncomplying unions complied with the Taft-Hartley Act. It was clear that few unions could survive otherwise. Some union leaders who were members of the Communist Party resigned from the Party, hoping they would not be caught on the issue of affiliation or belief. As the Cold War continued, the CIO set up new unions to replace the 11 it had expelled, assisting the newcomers through raiding based on redbaiting.

But the Taft-Hartley oath did not sit well in our law. And we all wondered how long it would stay on the books.

*Editors' note: See section 84.*

## **39 ♦♦ SUPER PROFITS REQUIRED RED-BAITING**

♦♦ Bob Martin ♦♦

*For author note, see section 20.*

It was pretty well understood that one of the big reasons for all the red-baiting and the drive against the progressive leadership of the National Maritime Union was that they were organizing the seamen to put up a fight against the ship owners transferring their ships to all the foreign flags. The ship owners, for 25 bucks, could transfer a ship from U.S. flag to a foreign flag, and then they could pay half the wages, and they didn't have to live up to any U.S. Coast Guard regulations regarding the conditions on the ship, either. So they were making nothing but profit on those ships, and transferring them left and right out of the U.S. fleet to the runaway flags of Panama, Liberia, Costa Rica and Honduras. These small countries had more ships assigned to their flag than the United States had after a couple of years.

In 1945, at the end of World War II, the United States had almost 3,500 ships. At the end of 1954, there were less than 1,300 vessels in active service. In the same period, jobs fell from 165,100 to 58,800 in the NMU.

Transferring American ships, passenger and freighters, to the runaway flags gave the shipowners a lot of advantages:

1. Saving money by not paying taxes to the U.S. government.

2. Paying lower wages to foreign seamen, and fewer benefits.
3. Sailing with fewer seamen aboard.
4. Saving money on poor food and living conditions for the crew.

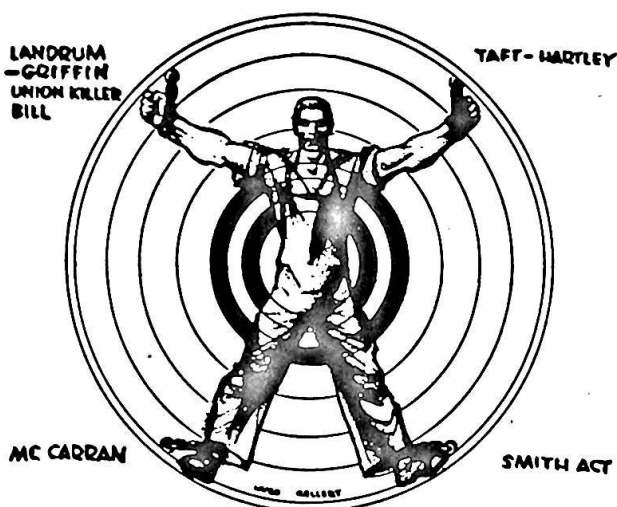
The ILWU, National Maritime Union and the Marine, Cooks & Stewards were the militant maritime unions with progressive leadership. We joined forces with all other progressive unions and organizations to work on certain issues. We tried to stop the transfer of ships to foreign flags, to reduce the work day to 6 hours, and to improve working and living conditions for the seamen. We demanded an end to the Cold War. We wanted our soldiers brought home from the Far East, and to open trade with China and the Soviet Union.

The first answer we got from the United States administration to our demands was the Taft-Hartley Act and the McCarran Act. This was the only way the shipowners and other industrialists could get the progressive leadership out of these unions. The NMU had a lot of militant progressive members, and they followed those officials who gave leadership in building our union, like Blackie Myers, Ferdinand Smith, Howard McKenzie, Joe Stark, Josh Lawrence, Al Lannon and many others. The rank-and-file would never have voted them out.

Under the smokescreen of getting the Communists, the shipowners diverted the struggles away from ship transfers and pork chop issues. Their main goal was to get the Communists off the ships and out of the union.

They helped get reactionary leadership elected or appointed in many of the unions. The MC&S was taken over by a gang called "the dirty dozen" and NMU president Joseph Curran unleashed a witch-hunt in the NMU. After the Curran gang took over, they made an effort to bring charges on and expel any ex-leaders who were still trying to carry on any kind of a struggle against the phoney leadership on the ships and the docks. Curran was on the verge of being defeated when the Coast Guard initiated the screening program. It hit thousands and thousands of workers.... [See section 53.] And we have wound up, many years later, with only a few passenger ships and very few freighters.

♦♦ CONGRESSIONAL RECORD ♦♦



♦♦ CHART OF SUPER PROFITS ♦♦



These two cartoons appeared in the *Daily Worker* during the summer of 1959.

♦♦ Credit: Hugo Gellert.

## 40 ♦ "RECOVERY" REQUIRES COLD WAR

♦♦ Philip Sharnoff ♦♦

*For author note, see section 25.*

Recovery in the United States came about primarily through government spending, and military spending most of all. When President Truman made his preparations to reveal the "Truman Doctrine," he consulted the Republican oracle on foreign policy, Senator Vandenberg (R-Mich), and learned that it was necessary to "scare the hell" out of the U.S. public.

## THE HYPOTHETICAL WAR

Anti-Soviet agitation possibly reached its nadir in the notorious and infamous October 27, 1951 issue of *Collier's* magazine. Its contents defy any rational explanation, yet the real point is that they were not atypical of the general level of thinking. The editors assembled a significant group of public figures, among them Edward R. Murrow, Walter Reuther, Robert Sherwood, Hanson Baldwin, Lowell Thomas, Arthur Koestler, Marguerite Higgins, J.B. Priestly, Senator Margaret Chase Smith, and other journalists and university professors.

The theme was a hypothetical war between the Soviet Union and the United States to take place in 1955 when the



## **"Recovery" and the Korean War**

United States production continued high through 1951, still producing more than half of the world's industrial products, including oil, steel, and automobiles. This level of production threatened to exceed the ability of the United States economy to sell all of these products. A recession might have followed had not the U.S. become involved in the Korean War. This gave the U.S. economy the needed heist and "prosperity" continued.

Indeed, the effect of the Korean War in stimulating business led to a new theory: that "small" wars have a beneficial effect on the U.S. economy. A few years later, the intellectuals in the Kennedy administration made this into an important part of U.S. foreign policy.

The Korean War had another important side effect: U.S. government purchases in Japan put that country on the road to its remarkable industrial advance.

The scale of the U.S. armament industry was now so large that it could not readily be reduced without causing a crisis in the economy. Large numbers of workers were employed in the production of armaments and even more workers in industries that supplied the armament industry. Moreover, many of these were unionized, highly-skilled workers, members of the so-called labor aristocracy. It is therefore not surprising that these workers and their union leaders generally supported large outlays for "defense."

Anti-communist and anti-Soviet agitation continued at a high level throughout this period, with numerous un-American activities committees riding high and Senator Joseph McCarthy on the rise.

## **Who Gets How Much?**

There is one outstanding fact about the economy in the Cold War period, and, indeed, in the years that followed: the poor remained poor, and the rich remained rich. The strikes and militancy of labor in the 1930s and '40s improved their relative position a few percentage points, but these gains were largely lost after 1946. Table 1 illustrates this point very well.



♦♦ TABLE 1: PERCENTAGE OF TOTAL INCOME ♦♦

INCOME RANK	1983 <sup>2</sup>	1970	1960	1950	1947 <sup>3</sup>	1941	1935	1929 <sup>4</sup>
Lowest fifth	4.7	5.4	4.8	4.5	5.0	4.0	4.0	13.0
Second fifth	11.1	12.2	12.2	11.9	11.8	10.0	9.0	
Third fifth	17.1	17.6	17.8	17.4	17.0	15.0	14.0	14.0
Fourth fifth	24.4	23.8	24.0	23.4	23.1	22.0	21.0	19.0
Highest fifth	42.7	40.9	41.3	42.8	43.2	49.0	52.0	54.0
Top 5 percent	15.8	15.6	15.9	17.3	17.5	24.0	27.0	30.0

In other words, in 1983, the top 20 percent of United States citizens controlled more income than the combined lower two-thirds of the population. And, coincidentally, the top 5 percent made exactly as much as the lower 40. The total output has of course grown in the years between 1929 and 1983 (by 640 percent),<sup>5</sup> but the relative position of the working population has changed very little.

## Conclusion

The effect of the Cold War on labor is complex. From a sheer economic aspect, the living standards of most workers improved as the economy expanded greatly. Organized labor and particularly those workers in heavy industry and war-related production benefited most.

But the relative gap between the incomes of workers, middle class professionals, and the rich changed very little over the years. If anything, the gap increased for the workers in the lowest-paid categories, that is the lowest tenth in income.

On the other hand, labor lost a great deal politically. The Taft-Hartley Act hampered its ability to organize. Moreover, labor was saddled with cold war "defense" ideology that is not in its best interests, all the more so since labor appeared unaware of the shackles that could restrain it. This has only now become apparent in the 1980s as much of labor is seen to be humiliated by one wage cut after another, even in some industries with strong unions. The labor movement in the 1980s can take pride in the members and leaders who have rejected heavy military spending, even though it provides some jobs.

## NOTES

1. *Business Week*, Jan. 24, 1950, p. 58; Feb. 11, 1951, p. 25.
2. U.S. Census Bureau, *Statistical Abstract of the United States, 1985* (Washington, D.C.: GPO, 1985), p. 448.

3. Idem, *Historical Statistics of the United States, Colonial Times to 1970* (Washington, D.C.: GPO, 1975), p. 1109.
4. Harry N. Scheiber and Harold G. Vater, *American Economic History*, 9th ed., a comprehensive revision of the earlier work by Harold Underwood Faulkner (New York: Harper & Row, 1976), p. 15.
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# WORKERS FIGHT BACK FOR THEIR RIGHTS

Part Four describes attacks on left/progressives in the blue-collar unions—UAW, UE, NMU, IFLWU, and ILWU—and attacks on left/progressives in the white-collar unions—UOPWA, FAECT, UPW, AFT, and in the AAUP. What emerges are the parallels in the defensive tactics, the outrage, and the patient determination shown on endless picket lines that often led to unemployment lines.

# 41 ♦♦ THE FIRST BITTER FRUITS OF TAFT- HARTLEY

## ♦♦ The Editors ♦♦

On Aug. 24, 1950, Ben Gold, president of the International Fur & Leather Workers Union, wrote a letter to the Communist Party resigning after 30 years of membership. On Aug. 30, 1950, his union filed Gold's affidavit that he was not a member of the CP. Three years later, Gold was arrested and charged with three counts: filing a false affidavit that he was not a member of the CP; filing a false affidavit that he was not "affiliated" with the Party; and falsely denying that he supported an organization that teaches the violent overthrow of the U.S. government. [See sections 50 and 51.] At least nine other labor leaders were tried for falsely filing non-Communist oaths [see sections 49 and 74].

In two cities, no one was tried for filing a false affidavit. Instead, the leaders of a union were indicted "for causing false affidavits to be filed." This happened to Mine, Mill and Smelter Workers in Denver [section 74], and to a husband-wife team of union organizers in Cleveland, where Fred Haug and Marie Reed Haug were indicted, along with local leaders of the CP [see section 81].

Taft-Hartley touched every union and every union member—not only the oath, but the injunction and "cooling-off" provisions. For example, in June, 1949, the United Mine Workers asked that wage increases, shorter hours, and increased employer contributions to the employees' welfare fund be

included in their new contract. The employers refused to consider these demands and on September 19, 1949, the United Mine Workers struck. Several hundred thousand miners remained on strike in January 1950 when contract negotiations were resumed; some miners returned to work on a three day a week basis.

At this point, President Truman threatened to take over the mines under the Taft-Hartley Act. Several courts issued injunctions against the union based on Taft-Hartley. Nonetheless, the "work stoppage" continued without orders from UMW officials forbidden by injunction to give such orders.

## SPLIT, RIPPED AND CHIPPED TO PIECES

It is the policy of the J. P. Morgan Co., the du Ponts, the Mellon banking family, the vast Cleveland bank holding chain, the auto works—it is they who decreed in their directors' meetings months ago that John L. Lewis and the mine workers' union must be ground to dust, and the rest of the labor movement, the A.F.L. and C.I.O., must be split, ripped, and chipped to pieces by any means.

Yet United States Steel, which just announced its highest profit in 20 years, pleads poverty to the public as it continues to reject the miners' demands for living wages. In 1949, United States Steel made \$165,958,806. This was divided among stockholders [and] amounted to \$16.17 [apiece], as compared to the \$4 dividend in 1948.

Is it any wonder that the miners fight for what they believe is right? ... Now they need the backing and support of all people.... and to renew their demands that the Taft-Hartley law be repealed in this session of Congress....

♦♦Vito Marcantonio (ALP-NY)

*Congressional Record*, Feb. 7, 1950

Finally on March 5, 1950, a new contract was signed, which provided for a 70 cents a day wage increase for miners and a 50% additional employer contribution to the union welfare fund.

## 42 ♦♦ COLD WAR BATTLES INSIDE THE UAW

♦♦ Roger Keeran ♦♦

*The author is an historian and union organizer.*

*This section, adapted from chapter 11 of his book, The Communist Party and the Auto Workers Union (Indiana University Press, 1980), is reprinted with permission.*

How did the Cold War affect the United Automobile Workers? Quickly and thoroughly. Cold War issues permeated the UAW, with consequences far-reaching in space and time.

Anti-Communism was always a part of the union's life. As soon as the UAW made its successful effort to organize General Motors in 1936-37, employers and conservative politicians, public officials, and journalists tried to undercut the union's appeal by attacking it as communistic. Inside the union, the UAW's first president, Homer Martin, and others tried to gain advantage in the union's internal power struggles by attacking their opponents as Communists. However prevalent, the issue of anti-Communism was not a decisive feature in the union's first ten years. It had little discernible impact on the outcome of union organizing drives or strikes. In 1946 Communists and other radicals remained as active at all levels of the union as they were at any time in the previous decade.

The coming of the Cold War changed all this.

During 1946 and 1947, the UAW faced a protracted strike waged by UAW Local 248 against the Allis-Chalmers Company in Wisconsin and a proposed merger of the Farm Equipment Workers Union (FE) with the UAW. Passage of the Taft-Hartley

Act forced the UAW to face the politics of its staff members and compliance with the Taft-Hartley oath. Each of these four major conflicts pitted the forces of newly elected president Walter Reuther against those of the Communist/left-wing led by veteran union leaders George Addes and R.J. Thomas. Fueled by Cold War passions, anti-Communism became a powerful factor in each conflict and immeasurably strengthened the hand of rightwing forces outside and inside the union.

It was like a blazing scene from the thirties, goons dragging pickets inside the plant gates and beating them up for “trespassing,” trucks full of scabs ramming the massed union lines, mounted cops charging full tilt at strikers and being met with a barrage of ball bearings.

♦♦Clancy Sigal, UAW member, in his novel *Going Away*

## The Strike at Allis-Chalmers

**All of the pressures against labor and the Left generated by the Cold War and domestic reaction in 1946-47 became dramatically telescoped on the UAW strike against Allis-Chalmers, the most important postwar labor conflict. The strike pitted Local 248, one of the most militant and left-wing UAW locals, against Allis-Chalmers, one of the most conservative and hardbitten foes of labor, in a conflict lasting eleven months.**

The significance of the strike far transcended the Wisconsin village of West Allis. The uncompromising bargaining stance of the company, whose president Walter Geist was honored by a cover story in *Business Week* during the walkout, became a symbol of corporate resistance to the 1946 strike wave. The strike also became a focus of business and conservative demands for restrictive labor legislation and for the elimination of Communist influences in the labor movement. Local 248 and its left-wing leaders became the target of the swelling national hysteria over Communism.

Inevitably, the strike also became embroiled in the factional conflict within the UAW, between Reuther and his allies and the local's leadership. The glue uniting all of these forces was



anti-Communism. *Daily Worker* reporter William Allan accurately reported that the Allis-Chalmers strikers became the object of "the most vicious nationwide red-baiting campaign this country has ever seen."

The Milwaukee, Wisconsin, area, by the 1940s, had a rich heritage of militant working class activity, especially among its Croatian immigrants. The people of Milwaukee elected a Socialist mayor in 1911, and members of the Socialist and Progressive Parties exercised considerable political clout for several decades.

Local 248 traced its origins back to 1933, when Harold Christoffel, a young Socialist, started an AFL federal labor union in the plant. With the help of Communists and other militant workers, Christoffel solidly organized the plant, took the union into the CIO in 1936, won a contract in 1937, and achieved sole collective bargaining rights in 1938. With its well-organized flying squadron, the union successfully resisted attempts to place the local under a right-wing administratorship in 1938 and successfully resisted repeated attempts by the Allis-Chalmers management to undercut the union's authority. Under Christoffel's leadership, Local 248 became the strongest CIO local in Wisconsin, establishing a vigorous educational program and an aggressive committeeman system.

The local and its officers consistently supported Communist political positions, Communist-related united front organizations, and Communist rallies, demonstrations, and petitions. Christoffel, Emil Costello, and their Communist supporters also achieved control of the Milwaukee County Industrial Union Council and the Wisconsin Industrial Union Council. In 1939, the union conducted a 23-day strike over wages and union security, and in 1941 the union conducted a controversial 76-day strike over wages, union security, and a grievance system. At the time of the 1946 strike, Robert Buse was president of Local 248, replacing Christoffel, who had been drafted for military service in 1941. Christoffel returned to Milwaukee in October 1946 and joined the bargaining team.

## ALLIS CHALMERS

Allis-Chalmers consisted of eight plants spread around the country. With 11,500 production workers and about 5,000 office supervisory personnel, the West Allis plant represented the largest Allis-Chalmers Unit. Allis-Chalmers was the third largest manufacturer of agricultural implements and the country's 87th largest manufacturing enterprise. Besides farm equipment, the company also manufactured machinery for warships, powder and power plants, mining, flour and saw mills, cement making, and building. During the war Allis-Chalmers had reaped windfall profits, earning over \$36 million in after-taxes profits and paying out over \$14 million in dividends in the period 1941-45.

The company had a long history of anti-union activity that dated back to its defeat of an iron molders strike in 1905 and a machinists strike in 1916. During the New Deal period, the company tried to thwart unionism by setting up a company union in 1933—the Allis-Chalmers Works Council—and by subscribing to the anti-union services of the Metal Trades Association and the Pinkerton Detective Agency.

The Allis-Chalmers management represented the extreme right-wing of the political spectrum. During the 1941 strike, when the company raised the cry that the union was sabotaging defense work, the Allis-Chalmers president served as chairman of the Milwaukee Chapter of the America First Committee; his successor served as head of the Wisconsin America First Committee. This Committee opposed American involvement in the war, and one of its national leaders, Charles Lindberg, expressed openly anti-Semitic and pro-Nazi sympathies.

Both the company's windfall profits during the war and the carry-back provisions of the Revenue Act, which guaranteed government rebates for losses sustained during 1946, placed Allis-Chalmers in a strong position to resist a postwar strike.

The local's contract with Allis-Chalmers expired on April 15, 1944; two years of futile negotiations followed. In September 1945, the War Labor Board (WLB) issued an order on vacation

pay, but Allis-Chalmers only partially complied. In December 1945, shortly after losing its wartime powers, the WLB issued a final report on Allis-Chalmers with recommendations on wages and conditions which the union adopted as its bargaining position, but which the company rejected. Three issues assumed primary importance: (1) maintenance of membership, (2) grievance procedure, and (3) wages. The union demanded retention of maintenance of membership, which the WLB had granted in 1943, and also sought a wage increase of 18½¢, corresponding to the postwar pattern.

Allis-Chalmers refused these demands and offered a wage increase of thirteen and a half cents. The company insisted on revisions in the grievance procedure to restrict the authority of committeemen and make the first step consist of a meeting between a grievant and a foreman. In March, Allis-Chalmers refused a request of Secretary of Labor Lewis B. Schwellenbach to meet with union representatives in Washington. In April, government conciliators failed to produce an agreement.

The long wait was finally over. On April 29, Local 248 took a strike vote by secret ballot supervised by UAW international representatives; 8,091 voted to strike; only 251 voted no. The next day the workers massed on the picket line and kept it up day after day.

From the start, no CIO or UAW official questioned the walk-out's legitimacy. Local 248 merely followed the pattern of other CIO unions in seeking to catch up with wartime inflation and to retain certain wartime gains. Allis-Chalmers, however, resisted these demands more stubbornly than had GM, Ford, or Chrysler earlier in the year. Before and during the walkout, Local 248's leaders offered to submit differences to arbitration or to Presidential fact finding; the company rejected both ideas.

### **"Back to Work; Defeat the Reds!"**

October 1946 marked the sixth month of the strike. Allis-Chalmers launched a back-to-work movement coupled with a massive Red-baiting attack on the leadership of Local 248. In this drive Allis-Chalmers found eager allies in the Milwaukee *Journal* and Milwaukee *Sentinel*, a Hearst paper. On September 22, 23, 24, and October 6, 1946, the *Journal* ran a series of four articles charging that Buse, Christoffel, and Joseph Dombek, vice-president of Local 248, were Communists. The *Sentinel*

publisher and managing editor arranged for another series at a meeting with a public relations officer of the Allis-Chalmers Co., to be written secretly by a research consultant for Allis-Chalmers. For 59 consecutive days, the *Sentinel* ran a sensational series by "John Sentinel."

On October 11, 1946, the company sent a letter to all its employees with photostats of Communist Party nominating petitions for the governor of Wisconsin in 1946 containing the signatures of many of the local's officers, committeemen, and stewards. The national press and news magazines picked up the anti-Communist theme from Allis-Chalmers and the Milwaukee press. On November 11, *Newsweek* described the CP nominating petition. The story claimed that the CP had a "stranglehold over the CIO in all Wisconsin," that the Communists had prolonged the strike at the West Allis plant while other Allis-Chalmers locals in Wisconsin, Illinois, Indiana, Ohio, and Pennsylvania had returned to work, and that the Communists "had strung out ... a strike which has hamstrung American reconversion at a time when Soviet-American relations are strained."

"If there as as many 'reds' among Allis-Chalmers workers as corporation publicity would have you believe," a union spokesman responded over a local radio station, "I challenge the Allis-Chalmers Corporation to reveal just what conditions are in their plant that manufactures so many 'reds'."

Beginning in October the union attempted to resist the back-to-work movement by setting up mass picket lines at plant gates. Augmented by supporters from other CIO unions in Wisconsin and from UAW locals as far away as Local 600 in Detroit, the picket lines at times numbered as many as 15,000. On October 28-31, November 25, and December 4 and 9, violent clashes occurred between the strikers, scabs, and police. When the company complained of illegal picketing in December, the Wisconsin Employment Relations Board (WERB) limited the number of pickets to two at each gate.

Meanwhile, Local 248 became embroiled in the political tug-of-war going on in the International. While the Executive Board, which was controlled by Reuther's opponents, gave unstinting support and financial aid to Local 248, Reuther and his supporters subtly undercut the local leadership. The *Wage Earner*, the weekly paper of the Detroit branch of the Association of Catholic Trade Unionists, lent credence to the company's anti-Communist attack by referring to the "avowed Com-

munist leadership" of the local. The *Wage Earner* also condoned the strikebreakers who had formed the Independent union by describing them as "former UAW members who have soured on the union's leaders." And a group of seven right-wing UAW locals in Wisconsin headed by Walter Cappel, a Reuther man, refused to support the strike and attacked the leadership of Local 248. This went on for seven months.

In November, the International placed R.J. Thomas in charge of the strike. Cappel reversed himself only after Thomas complained to the International of Cappel's "sabotaging," and Reuther personally urged Cappel to lend full support to the Allis-Chalmers workers. What Reuther gave with one hand, however, he took back with the other. At the December Executive Board meeting, Reuther said that because of the "attack being made by the Corporation respecting the political character of the leadership," the officers of 248 should resign. The board rejected this idea.

In December 1946, Allis-Chalmers fired Robert Buse and Joseph Dombek, two of Local 248's top officers.

In January 1947, the continuous assaults on the local's leadership and the back-to-work movement paid off: 4,000 employees returned to work. This led to a new threat to the strike. A group of workers who had returned to work announced the formation of a rival union, the Independent Workers of Allis-Chalmers. The Independent petitioned the WERB for a representation election. In the balloting at the end of the month, Local 248 obtained 4,182 votes, the Independent 4,010, and no union 117, with 50 challenged ballots. Since Local 248 failed to win a majority, the WERB moved to set up a runoff election. Still, the fact that Local 248 was not defeated after a 9-month strike was telling evidence that its leaders retained popular support. Buse's reelection as the local's president is another indication of this support.

### **Reuther, HUAC, Hartley Attack**

In January, Reuther met secretly with company representatives in a futile attempt to arrange a strike settlement. Thomas charged that Reuther had been duped by the company's "divide-and-conquer" strategy and that the secret negotiations had "only served to confuse the workers and provide the company propaganda machinery with the opportunity of misleading the workers."

At the end of February, Congressman J. Parnell Thomas opened hearings of the House Committee on UnAmerican Activities (HUAC) by declaring that the committee was taking "the first step" in its effort "to spotlight the sorry spectacle of having outright Communists controlling and dominating some of the most vital unions in American labor."

In February and March 1947, Congressman Fred A. Hartley of New Jersey used the Allis-Chalmers strike as the centerpiece of his attack on the National Labor Relations Act. As chairman of the House Committee on Education and Labor, Hartley was determined to destroy the 1935 Wagner Act, which legalized strong rank-and-file unions in mass-production industries. And he was determined to destroy all militant unions by attacking their leadership and rank-and-file supporters.

Like HUAC, the Labor Committee hearings focused almost exclusively on the alleged Communist leadership of Local 248. On February 24, five officers of the Allis-Chalmers company led by Harold Story testified before the committee and presented committee members with an elaborate brief.

In spite of the importance of this hearing, Reuther failed to request an appearance to defend the local. Thomas, however, did appear, and stated:

The whole purpose of my desire to testify before this committee ... is to try to explain that the issue which has caused the strike at Allis-Chalmers is not communism—as Mr. Story would have you believe—but the failure of the company to sit down and bargain collectively.... It is a straight labor-management dispute.

Thomas said communism is a "phoney issue"; the issues of wages and a grievance procedure have nothing to do with communism; these are "the same demands which every union in the CIO" makes of industry. As proof of the sincerity of the union's desire to settle rather than prolong the strike, Thomas said he had offered to submit the issues to arbitration, and this was the "first time" in his experience in the labor movement that he had offered arbitration over wages.

The committee also heard testimony by Buse and Christoffel. Both men tried to explain the real issues behind the strike and the union's repeated offers to submit the unresolved questions to arbitration or fact finding.

The committee members subjected the two unionists to hours of grilling about Communist influence in Local 248.

Buse and Christoffel denied that they were Communists, denied substantial Communist influence in the local, and charged the company with using the Communist issue as a "smokescreen" to hide the real issues of the dispute. Christoffel denied knowing Louis Budenz and Wisconsin Communists and called Budenz' claim that the Communist Party has ordered the Allis-Chalmers strike of 1941 "a tissue of lies."

Ten days later, Budenz testified. One-time editor of the *Daily Worker*, who had resigned from the CP in 1945, Budenz became a professional informer in the post-war period. Between 1946 and 1957, he testified before Congressional investigations 33 times. Budenz claimed that he knew Christoffel "quite well," that both Buse and Christoffel were members of the Communist Party, and that the CP had ordered the 1941 strike.

Amidst such conflicting testimony where did the truth lie? Were Buse, Christoffel, and others actually members of the Communist Party? This was unknowable. And it was irrelevant.

### **The Meaning of "Left-Wing Orientation"**

Clearly, the weight of evidence shows that a substantial sympathy and an even greater toleration existed for the Communist Party and Communist policies in Local 248. Open Communists worked in the plant. The Local had given financial and other support to Communist-related groups. Communists had spoken at local meetings and had taught courses for local members. The local had followed the party line on such issues as the 1939 Hitler-Stalin non-aggression pact. Officers of the union had attended and spoken at CP meetings and had signed Communist petitions.

Equally clear was the general left-wing orientation of the membership. Sympathy for Communists and Communist ideas was not just based on the machinations of a few leaders. The company's brief showed that 40 percent of the stewards, and many members of the union's committees, and several of the union's attorneys and officers had signed the petition of the Communist candidate for governor of Wisconsin. The pervasiveness of left-wing sympathies in the local resulted from many causes: the company's militant anti-unionism, the socialist background of Milwaukee, and the socialist background of those who built the union and worked in the plant.

The real question was not whether Communist influence



existed in Local 248, but whether it had the nefarious effect imputed by the committee and the company. The Communist-orientation of Local 248 did have an effect on the operation of the local, but not the effect alleged by Allis-Chalmers. For instance, the political complexion of the local contributed to its strong educational and grievance systems. The local put a strong emphasis on political education, and at one time the educational director was the local's only full-time officer. The union also possessed an extremely strong steward system and had a policy of encouraging workers to pursue their gripes, however trivial. According to Harold Christoffel:

We did have many grievances compared to other unions. I think it was the heart of the union.... In the long run, we knew we needed ... some political education, education toward socialism in the broad sense.

Did Communist influence in Local 248 result in the use of violence on the picket lines? Violence certainly accompanied the strike, but whose fault was it? The company tried to force deliveries through picket lines and encouraged the back-to-work movement. So the company bore as much responsibility for the violence as the union. The Communists undoubtedly favored flying squadrons and mass picketing, but neither these weapons nor picket line violence were ever confined to Communist-led unions.

On March 23, three weeks after the House Education and Labor Committee investigation, Local 248 called off the 11-month strike and returned to work without a contract. The end of the strike, however, did not bring an end to Local 248's troubles. After firing Buse and Dombek in December 1946 and Christoffel in March 1947, Allis-Chalmers now discharged 91 strikers.

Meanwhile, the House Education and Labor Committee sent a subcommittee to Milwaukee to gather evidence of perjury against Buse and Christoffel, based on Budenz' testimony before the Committee in mid-March.

## **UAW Conflicts of 1946-47**

As Frank Marquart noted: "The Reuther forces could never have achieved their solid control over the UAW without the handy weapon of Cold War anti-communism."

No reliable information exists on the size and nature of Com-



munist Party membership in the automobile industry in the 1946-47 period. Saul Wellman, who served as secretary of the Party's Auto Commission in 1946, later estimated that in 1946-47 3,000 auto workers belonged to the CP and that 1,500 of these resided in Michigan. Though these figures may exaggerate the actual membership by as much as a third, they provide an approximate gauge to the number of Party members and close supporters. They also indicate that in the immediate postwar period the Party reached as great a strength in auto as at any time in its history.

In spite of their modest numbers, Communists enjoyed a great deal of respect, influence, and an even greater degree of toleration in local unions and on the international staff. Some functioned in their shops and locals more or less as open Communists.

Reuther raised the question of the political affiliations of international staff members immediately after his election in March 1946. He told a meeting of the Executive Board in April that he intended to enforce Article 10, Section 8, of the UAW Constitution that banned from all elective and appointive positions anyone who was "a member of or subservient to any political organization, such as the Communist, Fascist or Nazi Organization which owes its allegiance to any government other than the United States or Canada."

Addes and Thomas countered with a program calling on the union to avoid Red-baiting and to grant equal rights to all members, regardless of their political affiliations. The Executive Board approved the Addes-Thomas approach. Lacking a majority on the Executive Board, Reuther was unable to effect the purge he desired. Still, by clever maneuvering, Reuther managed to eliminate a couple of leftists on the staff, to transfer others, and to put all of them on the defensive.

He soon became one of the national leaders of the new, liberal anti-Communism, as one of the ADA's organizing committee of 25, along with David Dubinsky, Leon Henderson, Reinhold Niebuhr, and Walter White. Reuther was getting set to become the main exponent of ADA's liberal anti-Communism in the labor movement. Reuther first elaborated his views in March 1947 after Kim Sigler, Republican Governor of Michigan, testified before HUAC that "upwards of 15,000 Communists" have "absolute control of certain unions" in Michigan, and that R.J. Thomas, George Addes, and Richard Leonard are "captives of the Communist Party."

In response to Sigler, Reuther reiterated his own active opposition to "Communist interference in our unions" and attacked Sigler for launching "a Red hunt whose ultimate victims are intended to be, *not* Communists, but all effective labor leaders and labor unions." Reuther also charged that by smearing "innocent people," Sigler actually "performed a valuable service to the Communists."

A year later in a *Colliers* magazine article entitled "How to Beat the Communists," Reuther elaborated on these themes. He attacked the Communists for a variety of alleged sins committed in their "fanatical preoccupation with conquest of organized labor." He also assailed "the stupid and indiscriminate Dies-Rankin-Thomas brand of Red-baiting" for actually aiding the Communists. And he appealed to "decent unionists and honest liberals" to fight the Communists by "making democracy work" by "defeating [Communism] in the market place of ideas" and by using "exposure" rather than "repression." In short, Reuther's liberal anti-Communism accepted without question the premise that Communists represented a relentless, diabolical, and totalitarian force that had to be opposed.

*Editors' note: While Reuther was using staff appointments and the Allis-Chalmers strike to undermine the Left in the union, the Addes-Thomas-Communist group was proposing to outflank Reuther through a merger of the Farm Equipment Workers Union (FE) with the UAW. The 43,000 member FE, headed by Grant Oakes, represented one of the most left-wing of the CIO unions, holding contracts with International Harvester, John Deere, and Caterpillar. If the merger occurred before the 1947 convention, the FE could bring at least 430 votes into the Addes-Thomas column.*

*But there had been a long history of jurisdictional battles between UAW and FE, and a referendum in the UAW defeated the merger proposal by over two to one after a strong Red-baiting campaign.*

### Should UAW Fight T-H or Sign?

Between the FE vote and the November 1947 convention, the main issue before the UAW was whether it should comply with the non-Communist affidavit clause of the Taft-Hartley law.

Congressman Fred Hartley later explained that the reason Congress included the anti-Communist clause in the act was because the "Communist dominated" Local 248 had conducted strikes "ordered by Moscow" in 1941 and 1946 that had disrupted war production, "seriously hampered our nation's

reconversion effort, and conversely aided Russian foreign policy."

Reuther used the clause to force his opponents into an awkward and defensive position. At a time when John L. Lewis, Phil Murray, and other labor leaders were denouncing the law and refusing to sign the non-Communist affidavits, Reuther became the first CIO opponent of the law to advocate compliance, so the union could continue to pursue its cases and elections with the National Labor Relations Board.

Thomas and Addes opposed compliance because it would "weaken the fight" and "reconcile the CIO to the slave law." The entire debate put Addes and Thomas in the awkward position of seeming to put a defense of Communists in the labor movement ahead of the practical welfare of the UAW.

Reuther's maneuver was so effective that he actually won the approval of the Executive Board. Eleven members opted for compliance; six abstained, and five voted against. The Addes-Thomas-Communist group had fractured over what would be the key issue at the upcoming convention. Once again, Reuther's dogged anti-Communist attack and the spreading anti-Communist orthodoxy had taken its toll on the Left.

In preparation for the November convention, both Reuther and the Left turned out reams of reports, letters, leaflets, and press releases filled with programs, charges, countercharges, insults, and smears. On such central trade union issues as opposition to Taft-Hartley and the need for increased wages, pensions, vacations, and organizing, little differentiated Reuther and Thomas-Addes.

Yet differences did exist. For Reuther the main enemy was Communism and the Soviet Union; for Thomas-Addes it remained the large corporations. Reuther supported the Cold War and the Marshall Plan and eventually opposed participation in the World Federation of Trade Unions (WFTU); Thomas retained a certain cordiality toward the Soviet Union and sympathy for the WFTU. Reuther believed that no Communists should hold union office and that open Communists should be automatically removed from office; Thomas and Addes still argued, however weakly, for no discrimination because of political beliefs and for the use of a trial procedure before removing anyone from office. Reuther favored compliance with Taft-Hartley's non-Communist affidavits; Thomas and Addes opposed compliance. Reuther favored linking wages with productivity; Thomas and Addes opposed it. In the past, Reuther

had opposed, and Addes had supported, special minority representation on the Executive Board. Such real policy differences, however, were generally obscured by the slander and Red-baiting that characterized the preconvention campaigning.

In a "Report to the Membership," which was distributed to over 900,000 UAW members, Reuther made the issue of Communism central to his entire program. Reuther blamed his opponents for the union's factionalism. He accused them of wasting a half million dollars trying to organize Thompson Products in Cleveland, and scored them for sponsoring the ill-conceived FE merger. Reuther also attacked his opponents for blocking the enforcement of the constitutional ban on Communist office-holding. In defense against the charge that he supported speedup, Reuther said that those making the accusation—the Communists and their allies—had supported speedup during the war. In a section of the report, entitled "For Democracy—Against Totalitarianism," the UAW president said: "The American Communist Party is not a political party in the legitimate sense."

The Thomas-Addes forces presented their case to the membership in a 24-page pamphlet entitled *The Bosses' Boy* and in a little periodical entitled *FDR*. Sigmund Diamond, Irving Richter, and other left-wing staff members wrote *The Bosses' Boy*, and Carl Haessler edited the first issues of *FDR*, whose acronym insiders jokingly interpreted to mean "F—k Dirty Reuther." These publications attacked Reuther's desire to link wages and productivity, the low wages in Reuther's GM division, the president's neglect of minority representation, and his constant Red-baiting. They also made exaggerated claims of Reuther's support of speedup, which the union president easily refuted.

## The 1947 Convention

At the 1947 UAW Convention, Reuther tried to set the tone in his opening address: "The answer [to labor's problems] will not be found in any of the so-called magic totalitarian formulas where you trade freedom for bread. The answer will be found in making democracy work." Reuther called on the convention to reaffirm "in clear and unmistakable language" the policy of the CIO in rejecting Communist interference and to affirm "beyond question" its loyalty to the United States and Canada.

In the convention's first test vote, the Reuther forces won approval by a three to one majority of a resolution to set the election of officers to the third, rather than the fifth, day. *Newsweek* reported that "the left-wingers sat glum and silent, while Reuther's anti-Communist steamroller clanked over them." In the only major substantive debate, the Reuther forces again won by a three to one majority the convention's approval of compliance with the Taft-Hartley Act. The "redheaded, apple-cheeked president" then swept the elections for officers against the Addes-Thomas-Communist forces.

Outside the UAW, nearly universal approval greeted Reuther's triumph. In the symphony of media praise, only the *New Republic* carried an untoward note. Its editors expressed "worry in the anti-Communist overtones" of Reuther's victory, because the real threat to the country was posed not by Communists but by "native American fascism whooping up anti-Communist emotion, and Reuther did not mention this genuine danger."

The Reuther victory meant not just the defeat of the Addes-Thomas-Communist faction, but its complete disintegration. Some leaders of the Left-Center group left the union voluntarily; others faced dismissal, expulsion, or defeat in local elections; still others reconciled themselves to Reuther's regime and in many cases became fanatical anti-Communists. Immediately after his sweep of the 1947 convention, Reuther fired Maurice Sugar, long-time UAW general counsel, and purged all Communists, Communist sympathizers, and other leftists from the international staff, including Irving Richter.

### **The End for a Militant Local**

Using the power of a sympathetic Executive Board and a subservient staff, Reuther moved quickly and ruthlessly against left-wing leaders of local unions. On December 1, Reuther removed the officers of Allis-Chalmers Local 248, three of whom had refused to sign the Taft-Hartley affidavits, and placed an administrator in charge. Subsequently, a new Reutherite leadership of the local expelled Christoffel, Buse, and seven other officers.

The sustained attacks by Allis-Chalmers, the U.S. government, and the International finally smashed the popular, left-wing leadership of Local 248. In the process they irreparably crippled what had been the strongest union in Wisconsin. By

November of 1947, Local 248 could count only 184 dues-paying members for a union that once numbered over 8,000.

In a 1948 trial, Christoffel was convicted for perjury before the House Education and Labor Committee and was sentenced to a prison term of two to six years. Christoffel appealed, and his conviction was reversed. In 1950, he faced a second trial for perjury for denying before Congress that he was a Communist. The jury convicted him; the judge sentenced him to 2 to 6 years, he only won resentencing in his appeal to the Supreme Court. In 1953, he made his lonely way to prison.

## NO CHANCE

When we were only fighting the government and the company, that wasn't so bad, you see, as long as the union supported you. But then when ... Reuther starts moving in, then the workers knew that this was it. There was no chance. Then we were fighting all three.

♦ ♦ Harold Christoffel in 1974

## 43 ♦♦ FORD LOCAL 600

### A UNION TRIAL ON TAFT-HARTLEY CHARGES

#### ♦♦ The Editors ♦♦

Victor Reuther says it took five years to break the power of the Communists in Ford Local 600 after Walter Reuther defeated the left in the UAW election in 1947. He said this was "mainly because Walter did not use the autocratic methods John L. Lewis had used in dealing with Communist infiltration of his mine workers. The democratic process required time-consuming efforts to educate the Rank and File, but that is what Walter preferred." (*The Brothers Reuther* p. 268 (1976).)

Roger Keeran described the situation differently. He talks about shifting political alignments of the leaders of this local, known for its fighting spirit and its strong Black members and leaders, especially in the foundry. The local president whom the Communists helped elect in 1947 moved into the Reuther camp in 1948. Some others who had been Communist Party members likewise became Reutherites, some moving into jobs on the International staff. (*The Communist Party and the Auto Workers Unions* p. 286 (1980).)

Reuther wanted more. He was determined to require all local officers to sign the nonCommunist affidavit, including people not required to sign under the T-H law itself. When the International instructed compliance, based on the vote of the Convention and International Executive Board, the Board of Local 600 decided on a different approach. They held a referendum and let the members decide, which resulted in a vote of 7,654 in favor and 4,740 against.

This raised an immediate question: what would the two local

officers do who had run, and been elected, as open Communists?

Bill McKie had gone to work at Ford in 1927 at the age of 50. He had been the first president of the Local before it had won bargaining rights. He had been active in the famous strike against the Ford Motor Company in 1941, when the last of the Big Three auto companies finally went union. Recently, McKie had been elected a trustee of Local 600. Johnny Gallo had been elected a guide at the same time. (Phillip Bonosky, *Brother Bill McKie* pp. 185-88 (1953).)

They both resigned their union positions rather than take the hated oath. McKie then left his job at Ford in the spring of 1950, at the age of 73.

That year, Carl Stellato ran for president of the local on an anti-Communist platform, with the backing of the International UAW and the Association of Catholic Trade Unionists. Immediately after the election, he put on trial five members of the General Council who had refused to sign the T-H oath, charging them with violating the UAW Constitution barring Communists from holding office.

Similar trials on similar charges were held in union after union during this period, and on into the '60s. When Communist workers were blacklisted out of one industry or trade and tried to join a union in a new field, they were sometimes met with constitutional provisions forbidding Communists from even joining a union, let alone holding office.

In this case, the five put up a strong defense, based on their records in the union and the community. David Moore and Paul Boatin had been elected presidents of their units several times at Ford. They were leaders of the Black and Italian-American communities and active in Detroit politics. But the climate at the time of their trial resulted in their defeat.

Strident anti-Communism did not remain popular with Ford Local 600 members for very long, especially with the Black workers in the foundry. Stellato soon changed his views and became a leader of the left-center coalition. In 1951, the local was ready for a picnic.



## A MEMORABLE PICNIC

♦♦ Paul Robeson ♦♦

*From the column by the great actor/singer/activist, "Here's My Story," Freedom, September, 1951.*

I have been in Detroit many times during my work in America. But never was there quite such an occasion as the picnic August 12 [1951] sponsored by the foundry workers of Ford Local 600, UAW, CIO. . . . It took place at Paris Park, about 20 miles outside the city limits. About 7,000 men, women, and children attended and it was a real demonstration of the working people's unity. Usually the various language groups in Detroit like to go off and have their picnics by themselves, and the Negro people do the same. But here all were joined together in an audience predominantly Negro but including large sections of whites of various backgrounds: Irish, like Pat Rice, Local 600 vice president; Scotch, Slavic, and especially Italian-Americans who had turned out in great numbers to hear Vito Marcantonio.

Marcantonio made a tremendous contribution, I thought. He demolished the phoney government "economic stabilization" program and showed that the way to win security is to fight for peace.

I sang some songs and spoke a good deal about the struggles of the Negro people. I was moved to pay tribute to the foundry workers who had sponsored the picnic with the backing of the entire local.

Under the leadership of Nelson Davis, a veteran unionist who was the main organizer of the picnic, and others, the foundry workers have developed a unity which is the core of the progressive militancy of the entire local. And this unity is reflected among the general officers of the union: Carl Stellato, president; Pat Rice, vice president; Bill Hood, secretary, and W.G. Grant, treasurer. These men know that they have to work together to defend the world's largest local against the policies of UAW president Walter Reuther who, in his support of the Truman war program, would tie the workers to wage freezes, escalator clauses, and other gimmicks which lead to practical starvation and depression.

One of the great lessons for me was what the picnic meant in terms of the entire Negro community. I had a chance to go

along with a number of the Negro labor leaders from Local 600 and meet with a group of Negro ministers. It was wonderful to see militant, progressive labor coming to these religious leaders and saying, "We want to join with the ministry, leaders of our people, in a common struggle for our folk." Well, the ministers said that is what they had been wanting to hear for a long, long time.

And we had a luncheon with the businessmen. Mr. Reuben Ray, the head of the Paradise Valley businessmen's organization, called the group together and we discussed the necessity of small business and labor getting together. We talked about the forthcoming national convention of the Negro labor councils in Cincinnati and everybody agreed that our business community must support this project, because it is clear that whatever helps the Negro worker and strengthens his position in industry and in the unions will also help the Negro businessman who depends on him for a livelihood. And most important of all, all sections of the Negro community, business, labor, church, professionals, have a common struggle and goal—for full, equal citizenship and an end to Jim Crow *now*.

We had a long talk with one of the leading physicians [who] realized that in our search for freedom we must profit from the experiences of other oppressed and formerly oppressed peoples in lands far away.

Well, there it is. For the first time in all these years of visits in Detroit there were the real solid connections and possibilities of unity between all sections of the Negro people. And this was based on the strength demonstrated by the Negro workers, united with their white brothers and sisters, at a memorable labor picnic.

*The development of the National Negro Labor Council is described in sections 76 and 77.*

# **44 ♦♦ UE LOCAL 735 CONFRONTS A HANGING JUDGE**

**♦♦ Vivian McGuckin Raineri ♦♦**

*During the Cold War, Vivian McGuckin Raineri was a member of the United Office and Professional Workers of America (UPOWA). Today she is a journalist and a member of the Newspaper Guild.*

*© 1987 by Vivian Raineri*

"We, the United Electrical, Radio and Machine Workers (UE), form an organization which unites all workers in our industry on an industrial basis, and rank and file control, regardless of craft, age, sex, nationality, race, creed or political beliefs and pursue at all times a policy of aggressive struggle to improve our conditions."

These words of the union Constitution are the heart and soul, the lifeblood of UE. Could Cold War Inquisition break a union committed to such principles? That was the challenge UE members and leaders faced in 1948.

Management attacked UE on many fronts: in the shops, on picket lines, at the negotiating table, before "investigating" committees hunting for "subversives" and "Reds," in courtrooms where UE leaders and members were tried and often jailed for fighting for the union. One of the places they fought was the Fawick Airflex Company, a small manufacturing plant on the border of Cleveland, Ohio, employing 125 production workers, members of UE Local 735.

## The Stage Set: 1948

The U.S. Congress set the stage for the Cleveland events. A House Labor Subcommittee told the press, just before Christmas, 1948: "Russia, through Communist domination of CIO-UE, has a hold on the strategic U.S. electrical industry," posing a "serious threat" to the nation's security. Committee Chair C.K. Kersten (R-Wis) praised Atomic Energy Commission Chair David Lilienthal for directing the General Electric Corporation to "cease negotiations" with UE on atomic energy-related projects. He was suspicious of the UE Constitution for forbidding inquiry into members' political beliefs. While "the nation is spending billions abroad to 'contain' the activities of this Communist Party in foreign countries," it is a "damning inconsistency for us to fail to take action against it in the most strategic industry within our country."

Two days later, the *Cleveland Plain Dealer* editorially criticized CIO President Philip Murray for not declaring war on UE-CIO quickly enough.

It is not enough that known Communists be removed from positions of power in the labor unions, the ideas which these Communists planted must also be excised.... They agitate not only for higher wages which is a perfectly proper labor objective but they also seek to promote the ideas that there must always be some irreconcilable conflict between labor and capital and that profits should be eliminated through higher taxes and government-fixed prices.

Unfortunately, too many labor leaders who have no sympathies whatever for Communism have swallowed this propaganda.

The House Committee on Un-American Activities (HUAC), not to miss a headline, quickly released its pamphlet

### 100 THINGS YOU SHOULD KNOW ABOUT COMMUNISM AND LABOR

HUAC praised the National CIO for taking steps to purge itself of Communists, but complained that CIO unions still had "Reds in the saddle"—UE and the International Longshoremen's and Warehousemen's Union.

In mid-January, the Ohio CIO Council opened a drive to remove four left-wing vice presidents, including UE officers from Dayton and Lima. The Council also took action against three State Council executive board members from UE who refused to sign non-Communist affidavits at the Mansfield, Ohio, UE Westinghouse local. The Cleveland CIO Industrial



any difference at all. Why? Because we had a rank-and-file union.

We had a wonderful shop. I never worked in a place like it where you had a true rank-and-file shop like we did.

I voted for Marie Reed and Joe Kres [for business agents of Local 735]. They did a wonderful job. She got along fine with the guys. She was a graduate of Vassar but she wasn't aloof with the workers. We worked well together. She was six foot two or three, her husband was six foot six. She was a great woman, and a good negotiator.

♦ ♦ **Morris Stamm**

In March, 1949, with contract negotiations about to begin, Fawick fired the first shot in its anti-union arsenal. The company flatly refused to renew the union contract as long as the officers of the Local refused to sign the Taft-Hartley non-Communist affidavit.

The Local said this was in line with national union policy. The officers of Local 735 issued a statement explaining that signing the oath would open the door for similar witch-hunt questions about politics and religion aimed at rank-and-file workers: "Shop workers could be fired from their jobs if they were forced to answer such questions." UE officers acted to protect the membership and to uphold the U.S. Constitution as well as the UE Constitution. "It is because this policy has been followed that UE Local 735 has kept completely clear of political or religious differences, thus enabling us to make substantial wage and contract gains for our members."

A year earlier, the local executive board had debated the question, and voted to uphold the national UE position. They instructed local officers not to sign the affidavits. The rank-and-file approved these recommendations at a subsequent membership meeting.

## Local 735 Business Agent

Marie Reed was a tall, proud, modern woman. She used her own name rather than her husband's at a time when this was the practice of few women. She wasn't quite six feet tall but people tended to think of her as even taller. She was the first woman officer of her local union and one of the first in the coun-

try since organization of the CIO. She was elected business agent of Local 735 in 1944.

She had graduated with honors from Vassar College ten years earlier as a Phi Beta Kappa. The mid-1930s was an exciting time on U.S. campuses, with the radical movement in high gear. Reed's maternal grandfather had defined himself as a socialist and her mother was a "socialist of sorts," and Reed was proud of the things her mother had done in the women's suffrage movement.

After graduation in 1935, she returned to her hometown, New Haven, Connecticut, and ran the Nathan Hale Bookstore, leaving the following year to attend the New York School of Social Work. Her interest in the problems and concerns of working women brought her to the position of industrial secretary for the YWCA for the next four years, a job that took her from New Haven to New York and Jersey City. At the time of Pearl Harbor she was administrative secretary and full-time fund raiser for the American Youth Congress, working at AYC national headquarters in New York City.

Defense work brought her into UE membership. Reed got a job at Fairchild Aviation in Queens, N.Y., and became the first woman in the plant to work on a turret lathe. UE was the bargaining agent. She had just been there a few months and had gotten the men to accept her when UE offered her a job in Pittsburgh, Pa., as educational director. She took it.

Fred Haug, a UE international representative, was "one of the first persons I saw when I walked into the UE office." Reed's job was to organize classes in labor history and work with women new to industry. Her major interest, then as always, was "the problems of women workers." She married Fred Haug and the UE couple moved to Cleveland in 1943 when Fred was transferred. She worked first as a UE field organizer; when elected business agent, she proved to be an excellent negotiator. She enjoyed the collective bargaining process and added considerable strength to the union team.

## Strike Vote

Fawick workers met to discuss the Company's stubborn position. Someone moved to go on strike to fight for the union and save their working conditions. The workers debated the issue and voted 99 to 16 to strike. They went out on March 8, 1949.

Fawick declared war on the union. General Manager and

Vice President Richard S. Huxtable vowed to keep the plant open. Huxtable was new to the company. An ex-General Motors official, he was "known for his subtle methods of union busting." The strike will be "a test of whether the forces of law and order in a community will protect free men in their democratic right to work," he said.

Local 735 responded:

It is not the first time that this type of situation has developed. It happened in the Univis Lens strike in Dayton last summer. It happened in the American Zinc Oxide strike in Columbus recently. It has happened in numerous other recent strikes in various parts of the country.

What is significant is that only since the passage of the Taft-Hartley Act has this pattern of strikebreaking become widespread....

Marie Reed charged that Taft-Hartley was a phoney issue used to cover Fawick's refusal to bargain. She said the company planned to get rid of older workers, to institute a speed-up work system patterned after a "backbreaking GM pattern," and to cut wages through a new job evaluation program. Local 735 demanded a 30-cent hourly wage increase.

On March 8, Fawick workers organized a mass picketline and shut the plant down solid. Even company officials cooperated on that first day when Marie Reed asked them not to drive their automobiles through the picketline in order to avoid creating a confusing situation. Calm and order prevailed.

On March 11, the six-man Brooklyn Village police force escorted some offieworkers and several foremen through the line. The situation remained peaceful. Fawick management, however, was making other plans.

General Manager Huxtable petitioned the Cleveland Common Pleas Court for an injunction against picketing. He named as defendants Local 735, Business Agents Marie Reed and Joe Kres, all the local's officers, Morris Stamm, shop committee chairperson, plus all the shop committee members—a total of 12 individuals and the union. To hear the petition, Common Pleas Judge Arthur H. Day convened court and held hearings for three days. One hundred and fifty workers came and brought their families and friends to fill the courtroom and halls. Most of them had to stand as the sessions continued all day, and into the night.

UE attorneys argued that since no violence had occurred, no injunction was necessary.



Huxtable conceded that there had been no violence, but picketing is "intimidating," he told the court.

On March 11, Judge Day gave Fawick its injunction. He limited pickets to two at each of three plant entrances, plus a picket supervisor. He banned mass picketing, however peaceful.

## Call to AFL

At about the same time, Fawick "sounded a fire alarm call" to the AFL United Auto Workers (AFL-UAW), which had two small shops in Cleveland as a result of AFL raiding of the CIO United Auto Workers. AFL-UAW quickly claimed it represented a majority of the Fawick workers, and asked for an NLRB election. The ballot choice would be between AFL-UAW and "No union," since UE was not eligible to use the NLRB, as penalty for noncompliance with the Taft-Hartley non-Communist affidavit provision.

Local 735 offered to end the strike on condition Fawick deal with UE if AFL-UAW lost the election.

Fawick said No.

The Fawick workers voted heavily in the NLRB election against the AFL-UAW. They wanted to retain UE.

Huxtable, however, announced that he would "deal with any good American union which complies with the laws of our country . . . as evidence of this, we are now negotiating with the AFL-UAW."

On March 14, with the injunction in force, strikers used a bullhorn to urge offworkers to respect the picketline, even though they were not members of any union. Strikers not on picket duty, and strike sympathizers, congregated down the street from the Fawick main entrance and across the street in a small shanty used as strike headquarters. Production workers continued to respect the "legal" picketline allowed by the court. Cuyahoga County Chief Deputy Sheriff Sweeney kept a watchful eye on the situation. So did Brooklyn Police Chief James.

Fawick management admitted disappointment; company officials conceded that they had expected some production workers to cross the line.

The strike remained solid—and peaceful—day after day, for two weeks.

## Showdown

Huxtable got impatient. He started holding meetings with "loyal" employees and AFL "sympathizers" in the combination delicatessen-home of father and son strikebreakers John and Andrew Bacisin. Soon he issued a call for all "loyal" employees to return to work and notified police that a back-to-work movement would take place on March 23 at 7:30 A.M.

Early that morning, Chief James stationed his entire six-man force at the plant main entrance. Sheriff Sweeney positioned his deputies nearby in cars. Superintendent Foley of the Cleveland Police Labor Relations Bureau posted mounted police at the Brooklyn-Cleveland border.

UE posted two pickets at each of the plant entrances. Approximately 100 strikers and supporters congregated across the street. Superintendent Foley got word that "a belligerent picket" had dispersed a group of strikebreakers gathering at West 10th Street and that a car windshield had been smashed. He dispatched a police car. At the main gate, strikers watched as a caravan of four cars containing strikebreakers slowly approached. The parade was "led by none other than Carl Smigel, representative of the AFL-UAW which the workers had rejected." UE Business Agents Reed and Kres acted as picket supervisors. The Mine, Mill, and Smelter Workers Union and the ILWU sent observers.

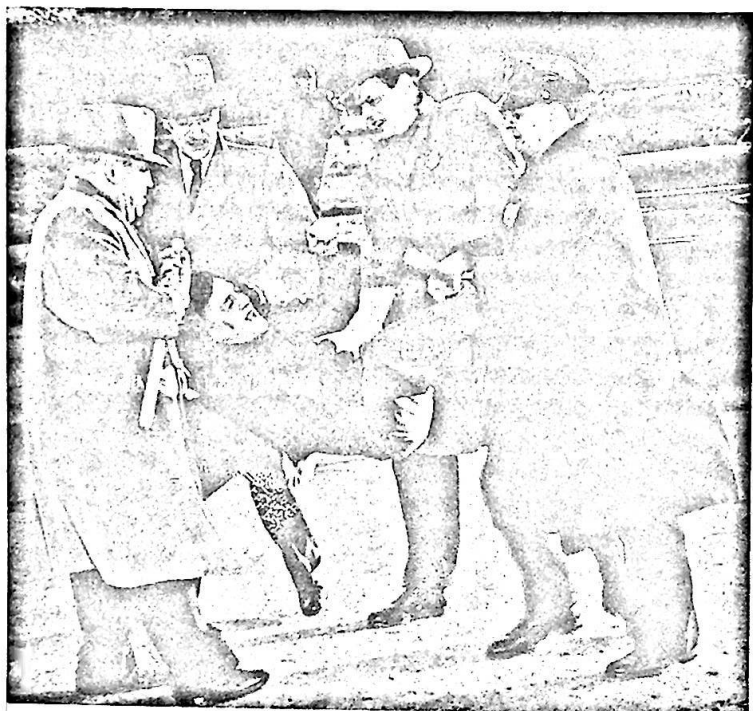
As the caravan neared, "We were waiting for them," Stamm said. "I told Marie I was going to turn my car into the driveway." He quickly got his car and drove into the lane, blocking the strikebreakers' entry into the parking lot.

Police swarmed over the area. "Then I made a mistake," Stamm said. "I left the damn car and went out to help the guys. I should have locked myself in."

In the melee that followed, the police arrested Reed, Stamm, and striker Melvin Driver. "It took three club-swinging deputies and a policeman to overpower striker Morris Stamm ... [who was] carried off to Cleveland jail, bearing a club mark on his cheek," wrote a newspaper reporter. Reed was knocked to the ground. The strikers faced police clubs, tear gas, and mounted police. Brickbats also rained on the stalled parade of strikebreakers' cars.

Later that day, Huxtable claimed that production started in the plant for the first time in three weeks, alleging that 30 or 40 workers went through the line, and ten of them signed

♦♦ARREST OF A STRIKER♦♦



Bearing a club mark on his cheek, Morris Stamm is arrested by three club-swinging sheriff's deputies and a policeman.

♦♦ Credit: Runyan; from the collection of Morris Stamm.



to throw the case out of court, and requested a bill of particulars. The judge overruled each motion.

Striker John Steidl told the court that a strikebreaker's car "nearly ran me down," and said he reacted by throwing a piece of shale at the car. He also testified he was present at two meetings at the Bacisins' home when Huxtable and AFLers plotted the back-to-work movement.

Huxtable and Brooklyn policeman Milan Naperta told Judge Day that Reed led strikers across the street as the strikebreakers' cars neared the plant. Naperta said that rocks, stones, and bricks started coming in all directions after Miss Reed yelled, "Well, let's go, everybody!" Huxtable said she yelled, "Come on, boys!" as she crossed the street from strike headquarters.

During a court recess, Reed stood in the corridor with her arms around arrested strikers Louis Diamond and George Davies. She grinned and told reporters, "I want to be with my boys."

In the courtroom, Fawick attorney Charles Steadman declaimed against "mob rule."

Davis responded that the local court had no jurisdiction in a labor dispute involving a strike. He asserted that the company had failed to produce any evidence linking the defendants with the rock throwing or any acts of violence at the plant entrance.

The sole evidence Fawick presented was that the defendants were on the scene, and their lawyer's only plea was to condemn 'mob picketing' and ask the judge to restore "law and order."

At the same time, UE Attorney Samuel Handelman was in federal court filing a \$500,000 damage suit against Fawick Airflex for refusal to bargain with UE although Local 735 was still the certified bargaining agent, and for encouraging employees to join a rival union. At the plant, workers shouted "Scab! Scab!" at 15 strikebreakers in autos led through the picketline by Smigel and other AFL-UAW officials.

## Law and Order

Judge Day wasted no time in ruling for Fawick. He sentenced the strikers to maximum ten-day jail sentences and \$500 fines—the stiffest penalties handed out in Cleveland history for injunction violations in a labor dispute.

Striker Albert Kleps told Day: "I'd like to state to you, if I may, that I spent a little over three years in military service. As I sat here in court and observed the proceedings, I tried to



## Danger Escalates

"[M]ounted Cleveland police rode through the angry pickets, chasing them helter-skelter through the eye-searing vapors," reported the *Plain Dealer*. Twenty-five sheriff's deputies participated in hurling the tear gas grenades.

"I got tear-gassed very badly," Eleanor Stamm said. "I kept vomiting and couldn't stop. The kids got very upset when they saw me."

The next day, Reed and Kleps were back on picket duty at the Fawick main entrance. A Brooklyn Township service truck parked across the driveway, barring all but Fawick officials and strikebreakers' cars from entering. Cleveland mounted police pursued several strikers from inside the Cleveland city limits, chasing them under the New York Central Railroad bridge into Brooklyn. Company officials said 60 workers entered the plant.

Brooklyn City Service Department employees ordered strikers to remove their strike headquarters across the street from the plant. The strikers refused. Two Brooklyn employees tore it down.

The strikers got new headquarters. Stamm said, "The corrupt and gangster-ridden rival union had gangsters attack us and they burned our headquarters down."

Later Marie Reed said, "The only time in my life I ever had a gun stuck in my face was by the organizer of the rival union. . . . The business agent and a pal came up in a car and I went to remonstrate with them because we had a picketline. He pulled a gun."

For the next few days, workers continued picketing while UE enlisted the support of other unions and planned strike strategy. Fawick strikers visited striking steelworkers at National Tube on their picketline "to let you know we are solidly behind you in your fight against the Steel companies to win a fourth round wage increase, improved insurance and a real pension plan." The UE leaflet thanked them for supporting the Fawick strikers.

## "We're Sticking to the Union"

April 4 was set by UE for a march to protest the company's refusal to bargain. It was a Monday morning. By 6:30 A.M., more than 70 deputy sheriffs and police stood in a solid line at

a police-drawn boundary line 500 feet from the plant entrance. They waited with clubs drawn and tear gas guns ready.

Several hundred strike supporters also arrived early to show solidarity with the Fawick strikers. Marie Reed advanced at the front of the parade, carrying a large American flag. They sang:

Oh, you can't stop us,  
We're sticking to the union,  
We're sticking to the union  
Till the day we die.

They were still singing when the police attacked, striking out wildly and scattering the marchers. Reed warded off blows with the flag standard. In the frenzy of police violence, Stamm was clubbed on the head. So was UE picket Harvey O'Brien; he was taken to St. John's Hospital. Many marchers were "nicked" as police shoved, pushed, clubbed, and ran roughshod over the crowd of strikers and sympathizers.

Eight AFL-UAW officials led the caravan of strikebreakers' cars, riding in the first three cars. Behind these, autos loaded with 50 strikebreakers drove at rapid speed through the wild scene and to the parking lot. They broke off from the three lead cars that continued down Clinton Road which was blocked by strike supporters at the 500-foot demarcation line. The police were knocking strikers around, attempting to open a lane of traffic for the autos.

Sheriff Sweeney yelled to his deputies, "Give them the gas!" Rocks, nuts, and bolts hit the air and smashed car windows as the cars butted through the line, guided by police.

Smigel said, "They're asking for war. If they want it, that's what they'll get." He called for more AFL supporters to show up the following morning.

### **And More Arrests**

The police made four arrests including Stamm, who was treated at County Jail for his head wound.

Reed protested the police brutality.

Sheriff Sweeney said he would confer with Common Pleas Chief Justice Samuel Kramer on what action to take against the arrested men. Meanwhile, the men were to be kept in jail.

UE Local 707, reputedly a right-wing UE local at the large General Electric plant, condemned Fawick management for



"hiding behind the Taft-Hartley Act to abuse good union people." Local 707 President David Fitzmaurice, representing 3,000 workers, condemned the AFL-UAW for "helping the company to break the strike of a CIO union." The CIO Auto Workers Council, representing 35,000 autoworkers in the area, urged CIO-CIUC President Patrick J. O'Malley and Executive Secretary James C. Quinn to publicly condemn the AFL strikebreaking, and come out in support of the Fawick strikers.

The *Cleveland Press*, in its April 5 lead editorial, urged an end to "rehashing the origins of the strike" or discussing the fact that the union involved "is Communist-led."

The one vital issue today is: How long will we allow the law to be defied? . . . There is one way to stop this this flouting of law and order. Revoke the bail of the 18 convicted last Tuesday, put them in jail and start them serving their 10 day sentences. [The Common Pleas Court] should act before nightfall to end this threat to its authority. . . .

It didn't take much longer.

## Enter Judge Connell

While the UE men remained in jail without bail or charges filed against them, a new judge entered the case to hear a habeas corpus action filed by UE attorneys to free the three on bond. Common Pleas Judge James C. Connell dismissed the action. Brooklyn police then brought the usual charges: resisting arrest, destroying property, and assault.

Judge Connell was a stalwart law-and-order man. In 1941, Republican Governor John W. Bricker appointed him to the Common Pleas bench. A prominent Catholic layman, Connell was president of the Cleveland Diocesan Holy Names Union. Early in his career, he was assistant police prosecutor and chief assistant to the county prosecutor before going into private practice. He owned an interest in the Snell Tool and Engineering Company; he also represented several AFL unions. In 1947, in an article in the *Cleveland Building Trades Journal*, Connell wrote that "labor fears no country, no weapon, or the future. . . . It knows that the mistakes our country has made were not made by men who worked in overalls; they were made by men who . . . oftentimes had the gifts of education and training, and who used their gifts to build themselves up, even though that sometimes required letting their country down."

Fawick attorney Steadman promptly asked Judge Connell to hold 14 additional strikers and sympathizers in contempt for violating Judge Arthur H. Day's injunction on March 28 and April 4.

Fawick named Reed and Kres again; this time they added Reed's husband, Fred Haug. And they named Eileen Schie, a World War II nurse and mother of two baby girls, Karen Ann, age 19 months, and Nancy Rae, four months. The Schie family car was registered in Mrs. Schie's name although she did not drive. She was, however, a member of a UE family, and the strikers had borrowed the car on March 28 in the attempt to block the plant entrance to strikebreakers.

Kleps, a picket captain, was also cited. The angry striker wrote a letter to the editor about the April 5 *Press* editorial. It was "one-sided, prejudiced, and full of false statements.... Name one worker who has been beaten up by anybody, other than those peaceful pickets who have been beaten up by the police and the deputies.... There is plenty of defiance of law and order on the part of the police, the sheriff's office, the company and the courts in this Fawick strike. We think it is about time the *Cleveland Press* speaks the truth instead of printing the news and editorials the Fawick management wants."

Marie Reed asked for permission to address the AFL Cleveland Federation of Labor (CFL). She was rejected. UE Locals 707 and 735 appealed to the AFL body to condemn the strike-breaking by AFL-UAW. They were also rejected. Smigel appeared and got AFL support, while Huxtable told Mayor Burke that Fawick would neither recognize nor meet with UE. CIO-CIUC President O'Malley condemned the AFL union's "flagrant strikebreaking," as Smigel announced the opening of contract negotiations with Fawick.

On April 8, Judge Connell handed down his decision. The courtroom was packed, the atmosphere tense, as the defendants stood before the bench.

## OPINION OF THE COURT

♦♦James C. Connell, Common Pleas Judge♦♦

Now, ladies and gentlemen, it becomes our duty to tell you about the conclusions we have reached from all this. We have had a sort of a rough two days here ... sometimes one may feel

it is made rough just for the sake of making it rough.

A little bit has happened out on the hillsides in this case. . . . The only question here is, did these people violate the injunction. . . .

The accusations made were very definite. When a man is hit by a rock, it is hard to say who hit him. That is why mobs are organized like this. . . . They fight under cover like the Ku Klux Klan always does, they fight under the anonymity of the mob. When you fight under the anonymity of a mob nobody can say who did this, or who did that. All that you can say is that there were a lot of broken heads on the American side.

. . . There is no strike here. All we have here is the wish and determination carried into activity on the part of these two dozen or more people, that American workingmen are not going to work in that plant, just because they decide they can't. I don't think they have any more right to do that than they have to go up to the Public Square and pull a trolley pole off a street car, and tell people they can't go to work. . . . But there was a desire to stop these people from working, and there is a deep psychological question there. What is it? It is to help men work? I hardly think so. Is it to help the union? I hardly think so. All they have done is to disgrace the union. . . .

. . . There was terror and misery committed, because this community is badly organized to meet such a situation. We have 1500 policemen to represent a community of a million and a half. Only three or four hundred men are on duty at one time. . . . The policemen go out, men that get a couple hundred dollars a month, and take a chance on their eyes and heads. The sheriff's men work double time, . . . and their wives and families jump every time the telephone rings, because these 12 men decide there is going to be all this confusion in this town.

. . . They march behind the flag. That means so much to them. At least, one-third of it does. To you Americans, it is a source of inspiration, but they will never be happy until it is in the dirt, on a phoney strike like this. . . . They say what is the harm in a little parade and a little song. We have had a lot of hypocrisy in this case, . . . Well, I will try and explain. . . . They get three circles of people operating in a whirl. I know what they are doing. There are 200 people, and they are operating under the orders of a generalissimo in the cobra's nest, who gave orders, and a microphone that instructions were given over, getting all ready for the crucial moment.

. . . I know some men that could empty a room this size in

five minutes, but the problem is how to work out your military tactics.... It takes an educated person to do that.... The only lowbrow that ever did that was Rommel.... It is usually smart people who use their intelligence and brains to injure their country, so the generalissimo gives orders to go over here and over there, and the three concentric circles keep going around, all leading up to the crucial moment when the convoy is coming down the street. The policemen, who ought to be doing something else, have to protect those people against these ghouls.

The convoy is coming down the street, and they have to work fast. There is a hole through which the convoy has to go. It is the gate, so they jam that. They jam up just before the convoy comes, obviously so the convoy can't get through, so that the whole convoy is stopped, and the whole train is at their mercy.

It isn't anything new. It is an Asiatic device. Genghis Khan used it. Tamerlane used it.

At the signal the convoy stops. It has to stop, because it can't drive through the cars. The three parades converge at that point, out come the nuts and bolts, the cars are smashed, and the people trying to go to work get their heads knocked off to make these 12 happy.

The contempt which they show for law, they show right in the court room.

They had a good time while they were at it, ladies and gentlemen, helping some other country against ours. From a military viewpoint they did a good job, and legally they know when to create confusion. They know how to get people excited, how to chase them this way and that way, ... and then they start throwing things, and it is all done on the theory that they were legally picketing.

... I won't burden you people much more. We will start here with Miss Reed.... I suppose she thinks she is some kind of a Joan of Arc. I don't know, but from what I have seen I say she is more like Madame La Farge. She will know who that is. Joan of Arc suffers for her country. This lady makes her country suffer.

I tried hard to keep track of these various charges here. She talked Mr. Stowicki into leaving his car in the drive, to create a Blockade. That is No. 1. On March 28 she handled the loud speaker, she said, "Come on, boys, let's go, what are we waiting for," preliminary to one of the rushes on the building and the men. That is No. 2. On April 4th she led the parade on attack.

That will be No. 3. She had general supervision and direction of all the attacks. That will be No. 4. She maintained the cobra nest ammunition, all of which was under her supervision. That will be No. 5. For that she will be sentenced, on each of such five counts, to ten days in the county jail, and a fine of \$500 and costs, making fifty days, \$2,500, and costs.

Mr. Kres, his car blocked the driveway. That will be No. 1. On March 28th he was in one of the marching units which attacked. That is No. 2. He was in the group which attacked the building. That is No. 3. He is one of the officers that was in charge of the cobra nest and its ammunition. That will be No. 4. That will mean forty days, and \$2,000 costs.

Mr. Haug, who is one of the gentlemen who decided not to give us any testimony, which was his privilege, is camped below the driveway. He led a parade, and he led a group which rushed the building, so he will have three sentences, of thirty days....

## JUDICIAL LYNCHING

### ♦♦ Vivian McGuckin Raineri ♦♦

The sentences ran from 10 days to 130 days and \$6,500, imposed on 34 persons, 31 men and three women, for a total of \$35,200 in fines and 835 days—the heaviest sentences ever inflicted from a Cleveland Common Pleas bench. The judge also declared the strike “officially at an end,” and imposed bail of \$2,360,000.

Union attorneys immediately moved to appeal Judge Connell's decision. But their first priority was to dispatch a lawyer to the jail to talk to Mrs. Schie. She had a four-month-old baby at home whom she had been nursing. They had to get directions for making the baby's formula.

Hundreds of telegrams arrived at the jail, praising the unionists for fighting for the rights of all labor. UE District 7 officers said they would appeal to the State Appellate Court. Sixteen locals of the UAW-CIO, meeting in Columbus, urged Ohio Governor Frank J. Lausche to remove Connell from the bench. The UE District 7 executive board called for protest demonstrations throughout Ohio and urged CIO and AFL leaders to protest Connell's “outrageous denial of the most elementary democratic rights.” UE leafleted the Cleveland commu-

nity; supportive unions sent letters and telegrams to locals in other parts of the country, urging immediate support actions.

Judge Connell followed up his court opinion with a similarly extraordinary injunction banning all picketing at the plant on the basis that "no bona fide dispute exists. . . ."

The jailed strikers were confident that the Court of Appeals would rapidly free them on reduced bail. To hasten the procedure, since the day following the jailing was a Saturday, UE attorneys went to the home of Appellate Judge Daniel E. Morgan. He would not grant lower bonds; it was a matter, he said, for the entire Appeals Court. On Sunday, April 10, non-jailed Fawick strikers and 25 strikers' wives held a special union meeting and pledged to continue the strike. From the jail came a message: "We're sticking together!"

Monday saw the unionists still in jail. From his cell, Joe Kres, under bail of \$100,000, told the press: "There are murderers and robbers in here under far less bond." Reed was held under \$250,000 bail. Stamm, with the highest bond, \$700,000, said: "The only purpose of this whole thing has been to break the strike. . . ." Kres, Local 735 organizer Walter Balasz, and striker Herman Schuster filed affidavits of prejudice against Connell and asked for a change of venue to another court.

## UE Posts Bonds

There was a scramble of activity during the next few days. The Court of Appeals reduced bail to \$42,500. UE posted bond. However, Sheriff Sweeney kept the strikers in jail on verbal "hold" orders from Connell, who then set security bonds ranging from \$5,000 to \$10,000 for 10 of the 12 strikers, for a total of \$150,000. Schie and John Stawicki were released on the lowered appeals bonds.

Kres was taken by sheriff's deputies to Columbus, the state capital, for the prejudice hearing against Connell. Ohio Supreme Court Chief Justice Carl V. Weygandt cleared Connell of prejudice. Connell was free to hear further strike contempt cases.

The Court of Appeals proceeded to release the jailed strikers on habeas corpus writs from Connell's "hold" order.

Meanwhile, Fawick and the AFL-UAW opened contract negotiations. Attorney Davis immediately countered with a suit in Common Pleas Court seeking to prohibit the bargaining, asserting that Local 735 was still the legal bargaining agent.

Eight strikers filed unfair labor practices charges with the NLRB against Fawick, accusing the company and AFL of "collusion" to interfere with and coerce UE members from choosing a collective bargaining agent of their own choice. Stamm and striker Albert Kleps filed separate charges accusing the company of firing them for union activity.

On April 13, the CIUC, for the first time in its history, censured an affiliated union. While it condemned Judge Connell, Fawick, and the AFL-UAW, it also denounced the Local 735 leadership for its strike conduct.

The Local 735 executive board bitterly denounced the CIUC action as a "disservice to labor." Stamm, Shepard, and Diamond filed three \$100,000 false imprisonment suits in Common Pleas Court against Sheriff Sweeney, Huxtable, and the Fawick Company for holding them for three days without charges.

On the following Saturday, 300 protesters braved falling snow and a harsh Lake Erie wind to rally in Public Square in downtown Cleveland, protesting Judge Connell's blatant anti-union bias. A resolution urging Governor Lausche and Mayor Burke to "use their good offices to bring about a [strike] settlement" was presented by Progressive Party State Director Hugh DeLacy, a former Washington state congressman. "Red squad" head Detective John Ungvary and plainclothes policemen mingled in the crowd.

### **AFL Support for UE, and Community Shockwave**

At this point, on Monday, April 18, 1948, Local 797 of the AFL-UAW called on Smigel, representative of the AFL-UAW, to "refrain from any picketline breaking or encouraging any member from the already organized shop (Fawick) from breaking his ties with the union he already belongs to."

Smigel was not available for comment.

UE appealed for financial aid from working members "to pay for the food, rent, and household bills" of strikers. "Already all employers have learned that UE is a fighting union, and that it is no small matter to take us on. We must back them so that they can continue to hold out."

Connell's courtroom antics brought a shockwave of response from inside the labor movement. The outrageous bail and attempts to override the judicial process also jolted progressives in the community. A prominent Cleveland, apprised of



the bail and declining to be identified, asked if the strikers had "murdered someone." A state legislator said, "Why, such bail is unconstitutional."

Netta and Norman Berman and others started to call around and decided to picket the judge's home in Shaker Heights to protest the ridiculous bail. Netta said, "We got to the judge's home around 10 A.M. that Saturday morning. Nobody seemed to be in charge. I worked nearby and we had cardboard and paint there, so Norm and I volunteered to go and make up a couple of signs. When we returned, police cars were there and one of our friends signaled not to stop, so we just kept going. Apparently Shaker Heights had an ordinance prohibiting demonstrations in residential areas. The police, called by the judge, came and told the people they were violating the law. He read the ordinance and the group dispersed. That was, to all intents and purposes, the end of that demonstration."

So they thought.

They were wrong.

Connell himself acknowledged that the would-be demonstrators were merely preparing to picket when the police arrived, and the acting Shaker Heights police chief said the protestors left after he read the ordinance. He placed a 24-hour detail at the judge's home, announcing, "We have a big jail."

Norman Berman worked for the Progressive Party and was chairman of the local People's Songs group. "That night," he said, "we had a kind of hootenanny and we passed a resolution protesting the judge's extreme actions. As chairman, I sent him a letter over the name of People's Songs with copies to the newspaper."

On the following Monday, Netta Berman, a social worker, was at her job. "I got a call from Norm. He had been arrested in connection with the demonstration and was in jail, so I went downtown to Courthouse Square. At the bus stop, a woman was reading the *Cleveland News*. I read over her shoulder that my husband was one of the people arrested. Then I saw my mother's name and then and there on the street, I became hysterical. That my mother, the most respectable middle-class Jewish lady in the world, was arrested in connection with this strike that she had no knowledge of! It turned out later it was because we had borrowed her car on Saturday and the police had taken down the license number as we drove by.

"I grabbed a cab and got to the jail. She was actually in jail



for about eight hours. She was prostrate, went to bed for three days. Something she talked about for months afterward was that when they knocked on her door and told her she was under arrest, she was, of course, stunned and couldn't figure out what was happening. However, most upsetting to her was that the policeman called her by her first name; the disrespect involved in that was very shocking to her, and to me."

A few days later, Judge Connell ordered the Police Subversive Activities Squad to investigate strike supporters for Communist affiliations, including questioning people who sent letters and telegrams criticizing him. Berman was arrested April 14th for his second protest letter (with copy to the newspaper). Sheriff's deputies cited his activity in the Progressive Party and his membership in the UAW-CIO Local 45 as left-wing affiliations. Joseph Krause was also arrested for letter-writing. Four were arrested for the aborted picketing caper.

All filed affidavits of prejudice against Connell and asked for a change of venue. These would be heard by Chief Justice Weygant.

## Clash with Connell

From jail, Berman and Krause filed habeas corpus petitions in the District Court of Appeals, based on denial of bail and a prompt hearing. Two days later, the Court of Appeals held an extraordinary Saturday hearing. The court ordered Berman and Krause freed on bond and clashed with Connell, though not by name. Said Judge Joy Seth Hurd:

To deny bail before trial, except in capital offenses, is a violation of a sacred basic human right guaranteed by the Constitution of the United States and the Constitution of Ohio. This constitutional right transcends all other considerations of whatever kind or nature.... [N]o matter how much a court or a judge may feel aggrieved by the conduct of persons charged with contempt of court, nevertheless such an offense is not a capital offense and is bailable....

Judges Arthur W. Doyle and Oscar Hunsicker expressed similar sentiments.

Berman and Krause were the 17th and 18th persons granted temporary freedom by the Appeals Court.

"The Court of Appeals was in an awful hurry to let them go," Connell told reporters. The climate of the times, plus a telephone campaign directed to the Appeals Court by Connell sup-

porters, did succeed in putting the court on the defensive. Aides noted "numerous telephone complaints" when the court lowered strikers' bail from \$2,360,000 to \$42,500, saying it should be clear that this was not a "modest" but was rather a "severe" bond.

Chief Justice Weygandt, however, came through again for Connell, denying the latest plea for change of venue based on the judge's prejudice. This meant Connell could find Berman guilty and give him 10 days and \$500 for each of the two letters, plus another 10 days and \$500 for the non-demonstration. Krause escaped with one conviction though he had also written two letters; Connell said Krause was "confused." Frieda Kreitner refused to pay her \$100 fine and went to jail until freed on bond. Ralph Barnett and Foster McCurdy got the maximum and Robert Evans got five days and \$300. They all appealed.

In a joint statement, the six said: "We have the highest respect for the guarantees of the Ohio and United States Constitutions and for the courts which have been set up to defend and interpret them. When we read the decision of the court regarding the excessive bail in the Fawick strike, we felt that these guarantees had been violated and wanted to exercise what we considered our American right to picket. Rather than being in contempt of court, we have made great personal sacrifices for what we feel is the defense of the court."

On April 21, two UE organizers—Fred Keller and Walter Balasz—appeared before Connell on contempt charges. Defense attorney Davis attempted to transfer these cases to federal court, basing his motion on federal civil rights statutes and the jailing of Joe Kres for refusal to answer questions about his political affiliations and 13 other strike leaders. Davis argued that Connell had "systematically refused and withheld" signing of journal entries in order to keep defendants behind bars for days before they could appeal, and had circumvented orders by the Court of Appeals for their release on bond by ordering them to post security bonds.

### **"Connellism"**

After the motion was denied in Common Pleas Court, Davis attempted to leave to prepare the motion for filing in federal court. Connell ordered him to stay, then predictably found the two men guilty. A week later, they were brought from county jail for sentencing. Keller, with three counts, got 30 days and

\$1,500, Balasz 10 days and \$500. Holland, their new attorney, filed petitions for writs of habeas corpus and requested a stay of execution. Former Parma city solicitor Holland flailed Connell for his "prejudice and vindictiveness." Connell's rulings, he said, constituted "the most vicious usurpation of judicial authority I have ever seen.... [T]hese men were on trial for treason."

"Wild talk," said Fawick attorneys.

In the meantime, on April 25, for the first time since Connell banned all picketing, two pickets appeared at the Fawick plant and were promptly arrested.

On April 26, the *Cleveland Press* publicly worried about Connell "stirring up popular sympathy and support for the very philosophy he so bitterly opposes." He should "step out of the Fawick Airflex cases," the paper said. ". . . [W]hen the judge, even in understandable anger, sends people to jail without bond and without a hearing, he is going too far. . . ."

The Court of Appeals freed Keller and Balasz, as well as Kres, on lowered bond pending appeal of their convictions, bringing to 22 the number of times that court released defendants. On the heels of this action, Chief Justice Weygandt, for the third time, rejected prejudice charges against Connell.

Connell tagged Kres for six more contempt convictions on top of the previous seven. Schuster got two. These two men, Connell said, had committed enough offenses in the Fawick strike to spend the rest of their lives in the penitentiary. Connell threatened to take action against Attorney Davis, citing the defense lawyer's attempt to remove cases to a court where a "fair trial" could be had and attempting to leave the judge's courtroom to do so. As his last action of the day, Connell said it too late for immediate preparation of the journal entry of the court's decisions. The appeal procedure could not proceed until this was filed. Without bond, Kres and Schuster were taken to jail. When bond was set on appeal, Connell imposed a \$10,000 peace bond.

This completed Connell's role in the Fawick cases. He would be remembered. He would be rewarded.

At the bi-weekly meeting of CIO-CIUC, held that evening, the right-wing leadership declined to support Kres. "A year ago," one member said, "the council would have met till dawn on a situation like that."

## **"Compromise with Fascism"**

On April 30, 1949, Henry A. Wallace came to Cleveland for a Progressive Party rally at Public Music Hall. The audience of 1,500 heard him charge that the contempt convictions in the Fawick strike threatened the labor movement. The courts as well as labor leadership were "caught up in the deadly coils of the Cold War," said Wallace. "Today the victim of injustice may be the Communists but tomorrow it is all of labor and then it is the liberal movement, and it does not stop there for the next day it is the entire nation. There is no compromise with fascism and that is the tragic lesson of Munich."

The crowd gave Marie Reed a standing ovation. She called for "ridding this city of the blot of Judge Connell.... Connell is a judge who confers with attorneys on one side of the case and they decide what evidence to present and when to present it.... Let's have no more judges who tear up the Constitution, trample on it and then dare you to protest."

But *Plain Dealer* writer Philip W. Porter, in a May 2 commentary, had high praise for the judge. "From where does this silly notion arise that an official's home may be picketed, or that he may be insulted by mail, without penalty?"

## **Aftermath: 1949**

May 16: John H. Price, newly elected Cuyahoga County Bar Association president, said that Connell overstepped his constitutional authority in the Fawick cases, including the "fantastic bond."

June 6: Fawick and AFL-UAW signed a contract. Huxtable announced that it did not provide for any general wage increase.

June and July: The strike continued. The strikers' appeals continued from Connell's contempt charges. Picketing continued from time to time, followed by arrests.

July 28: UE attorneys presented a petition to the Appeals Court asking that Connell be ordered to restore three original pages and remove eight added pages of comments to the record of the April 8 contempt trial.

August 12: Four strikers were convicted of contempt for defying the picket ban. "Even if the order was improperly granted ... disobedience is not excused," said Common Pleas Judge Harry Hanna. He meted out maximum sentences and

levied a \$10,000 security bond against the union, to be forfeited if anyone did any more picketing. Hanna said he had no legal authority to grant bail to the four men.

October 12: For \$700,000, Fawick Airflex Company purchased from the U.S. General Services Administration the land and buildings occupied by the company. This included 14 acres of land, a one-story steel and brick factory building, and a two-story office building, all built by the Navy.

October 21: Judge Connell, represented by Marshman's law firm, asked the Court of Appeals to throw out the case of the missing pages of trial record. The court declined.

Meanwhile, reports reached strikers that Fawick "scabs who were reportedly promised lifetime jobs if they crossed the picket line have been laid off. . . ."

### **Aftermath: 1950, 1951, 1954**

June 14, 1950: Seventeen strikers reported to the Cuyahoga County jail to serve contempt sentences after the Ohio Supreme Court refused to review the cases. Marie Reed, five months pregnant, was granted a three-day delay in order to keep a doctor's appointment. In all, 34 persons were sentenced to a total of 27 months in jail with fines totaling \$35,200.

In the meantime, Judge Connell upheld the constitutionality of the Cleveland School Board's new loyalty oath.

The Ohio Supreme Court having upheld their convictions, five strike sympathizers entered County Jail to serve out sentences for the April 9, 1949, attempted picketing of Judge Connell's home and for writing letters critical of the judge. Norman Berman got a double sentence of 20 days and \$1,000 fine for doing both.

March 2, 1951: In upholding contempt sentences against 10 of 12 strikers and UE leaders for violating an injunction banning picketing, a visiting Court of Appeals praised Judge Connell for "conducting himself with courage and dispatch" and berated UE attorneys for imposing "a heavy burden" on the judge. The court did reverse convictions of Eileen Schie and John Steidl on the basis of "conflicting" and "not convincing" testimony. Multiple sentences were affirmed against Reed, Kres, Stamm, Haug, and six others.

April 23, 1951: With further appeals failing, Reed and six other UE officials and members began serving stiff sentences for violating the injunction. Each of the seven was credited

with six days spent in jail in April, 1949, when Connell had refused to set bond. The fines were paid by the National UE.

The strike was over.

Eleanor and Morris Stamm lost their house. "We had to start all over again and we had two little kids aged five and six years old." For a long time, Stamm would get fired from jobs as soon as employers found out he had been a Fawick striker.

October 7, 1951: The Vercelli Medal, highest award for a layman in the Catholic Holy Names Society, was presented to Judge Connell. In 1946, Connell had been the Knights of Columbus' "Man of the Year," and in 1949—the year of the Fawick strike—Pope Pius XII named him a Knight of St. Gregory in recognition of his contribution to church and community.

July 16, 1954: The American Bar Association said Common Pleas Judge Connell should not be appointed to a lifetime Cleveland federal judgeship because of his reputation for "being arbitrary, dictatorial and biased." Connell's appointment was pushed by Republican Senator John W. Bricker. The ABA cited Connell's "lack of judicial temperament and a callous disregard for the rights of litigants which must never be condoned." Of three cases named, two involved the Fawick strike; the third was Connell's ruling that a loyalty oath for Cleveland teachers was valid and would stand.

UE Local 735 also sent a letter opposing Connell's appointment. President Eisenhower gave Connell the judgeship with the advice and consent of the Senate.

## NOTES

The Fawick strike was extensively covered in the *Cleveland Plain Dealer* and the *Cleveland Press*. The author wishes to express appreciation for use of the microfilm files maintained by the Cleveland Public Library. In addition, thanks to the UE national headquarters in New York City, which provided access to UE News files and historical material. Critically important records as well as photos were generously loaned by Morris and Eleanor Stamm. The Meiklejohn Civil Liberties Institute furnished trial transcripts and other records. In November, 1982, the author interviewed Morris and Eleanor Stamm and Netta and Norman Berman. In May, 1983, interviews were held with Marie Reed Haug and Judge Jack G. Day. The author owes these six a special debt of gratitude for sharing their memories and insights.

For helping to make this research project possible, deepfelt appreciation to Beatrice Barker of Black Hills, South Dakota; Celia Saperstein Yanish of San Francisco, California; and Eugene and Selma Bayer of Cleveland, Ohio.

## 45 ♦♦ NATIONAL UE: CORPORATE TARGET FOR EXTINCTION

♦♦ By James Lerner ♦♦

*This selection was written from the perspective of 1981 by James Lerner while he was managing editor of UE News.*

*UE was a militant, feisty union and its members knew the corporations were not going to hand them economic justice on a silver platter. World War II had been an economic boondoggle for the companies, while workers had had their wages frozen, actually suffering a 30 percent loss in real wages due to the high cost of living, which was still rising. When the war ended, working people prepared for a reckoning. There was talk of demanding a \$2-a-day across-the-board increase in 1945.*

*This militancy led to many hard-fought strikes, like the one at Fawcett, described in section 44, and to the events of 1949.*

General Electric set 1949 as the year it would be rid of the UE. That was the year the CIO leadership chartered a group to split the UE. Senator Hubert Humphrey lent his liberal pretensions to the cause, even though he owed his earlier election as mayor of Minneapolis in large measure to UE's political activity. The UE was the largest union in that city. Seeing in Red-baiting the path to greater glory, Humphrey sponsored a bill to outlaw unions such as UE and the others that were resisting the attacks on the Bill of Rights.

The CIO splitters were accusing the companies and especially GE of not being vigorous enough in supporting the drive to destroy the UE. What was actually bothering them was



their inability to win enough support from the rank-and-file, which knew how much it had gained from UE representation.

Testifying in favor of the proposed Humphrey law, the head of General Electric's law department, William J. Barron, and the head of its labor relations department, Lemuel Boulware, told the Humphrey-chaired Senate Labor subcommittee it was only the action taken by GE in filing petitions with the NLRB which made it possible for James B. Carey, president of the newly manufactured IUE, to get elections as quickly as he did and at many locations where, at the time, he probably had no membership. "In this situation and by simply taking no action at all, we had an obvious and easy way to embarrass Mr. Carey, delay the elections and put him to great financial expenses—if we had wanted to use it. We took Mr. Carey off the hook by promptly filing our own petitions for an NLRB election." In other words, General Electric told the NLRB that the UE no longer represented the company's employees.

The Labor Board picked up the cue and decided to set aside its basic rule that union representation could be challenged by elections only at the end of a contract. The Board, deciding to make the law fit the company's and the CIO's crime, decreed that where a "schism" existed in a plant, a union certification could be thrown out and new elections held during the life of an agreement. The new split-off group did not have to show any support in a plant to get an election—GE did it for them.

The same rule was applied to the other former CIO unions if they were challenged by a rival group. (Just as readily as the NLRB adopted the "schism" rule, it dropped it sometime later, after the purpose had been achieved. It wasn't going to run the risk of having a genuine rank-and-file rebellion against corruption or betrayal using the rule for decent purposes.)

At the Stewart-Warner plant in Chicago, where UE had won collective bargaining rights in 1943, the company coordinated its anti-union activities with a raid by a corrupt local of the IBEW six years later. The UE was denied a place on the ballot because its officers had refused to sign the Taft-Hartley non-Communist affidavit. On the eve of the election, the Company fired 200 UE supporters—shop stewards, local officers, and rank-and-file members. The election results were pre-determined. (It wasn't until 1980 that Stewart-Warner workers were able to come back to UE after suffering great losses in earnings and worsened working conditions.)



## Call in the Raiders and HUAC

In 1952, 30,000 employees of International Harvester represented by UE in Chicago and several other midwestern cities struck against company-demanded wage cuts. Their burden in a strike that lasted several months was made more difficult by the miraculous appearance of the UnAmerican Activities Committee in Chicago to "investigate" Communism in the labor movement.

In the next several years, the entire government machinery was involved in the drive to make good, even if belatedly, on GE's "kill 'em in 1949" program. In city after city, where the IUE as well as a number of other CIO and AFL unions hungered for a piece of the UE membership, the Board would order an election, and a congressional or state UnAmerican Committee would appear on the scene to subpoena UE leaders and rank-and-file members on the eve of an election to question them for the benefit of the headlines, the raiders, and the companies. John F. Kennedy, Hubert Humphrey, and a number of others with liberal pretensions addressed public meetings on such occasions.

In late 1953 the UE petitioned for an election at the big Lynn, Massachusetts, GE plant, where it had lost by a narrow margin during a Red-baiting orgy three years earlier.

A few weeks before the scheduled election at this plant, the local daily newspaper said:

Coming almost simultaneously with the Washington decision was an announcement in New York last night by Sen. Joseph R. McCarthy (R-Wis) that he and his Senate Investigating Committee will hold a closed hearing in Boston tomorrow at 11:00 A.M. on security policies and alleged Communist infiltration at GE's Lynn and Everett plants.

One day before the election, the company announced what came to be known as the Cordiner Doctrine after the company president, Ralph Cordiner. GE announced that "it will immediately . . . suspend employees who refuse to testify under oath . . . when queried in public hearings conducted by competent government authority."

The Bill of Rights would no longer apply to GE employees.

Of course, the "testimony" by informers and the badgering of witnesses by McCarthy was immediately leaked to the press for headlines as workers went to vote.

Despite all this, the UE was defeated in that election by a mere couple of hundred votes among 13,000 employees.

At one UE-represented plant, the GE Knolls nuclear laboratory in New York State, Atomic Energy Commission Chairman David Lilienthal didn't even bother going through the McCarthy-Company Alphonse-and-Gaston act. He simply outlawed the union by decree and directed the company not to deal with the union of its employees. The company obeyed with alacrity.

At Lynn, Schenectady, N.Y., Erie, Pa., and a number of other GE communities the same pattern of investigation and firing was repeated.

In Pittsburgh, a committee headed by Sen. John M. Butler obliged the Westinghouse corporation with an investigation. Seven UE leaders were fired as part of a drive to turn the plant over to the IUE.

An additional element in Pittsburgh and other cities where there were large numbers of Catholic workers was the intervention of the Association of Catholic Trade Unionists. The ACTU worked out on union members in the churches, in home visits by priests, and on children in parochial schools.

*Editors' note: The Labor Fact Book for 1949 reported at least 10,000 ACTU members in seven chapters throughout the nation, in addition to labor schools serving as centers of Catholic union activity.*

A typical appeal in the name of religion was a sermon:

We consider that you have a moral duty to vote in this election and to vote not to uphold Communism. The leaders of the UE support the attackers and persecutors of Archbishop Stepinac, Cardinal Mindszenty and the heroic priests and nuns and Catholic people behind the Iron Curtain. The people over there cannot vote against Communism. You can.

Prominent in this "religious" crusade was Father Rice of Pittsburgh. Again, as in many other places, despite this overwhelming assault, the corporations and their labor movement aides won by a bare 100 votes among 14,000 workers. Some years later, long after the damage had been done, Father Rice apologized publicly for his role in that attack on the UE, admitting that he had been wrong.

## 46 ♦♦ THE HERITAGE OF ARCHITECTS, ENGINEERS, CHEMISTS AND TECHNICIANS (FAECT-CIO)

♦♦ Bernard Palmer ♦♦

*Bernard Palmer was a member of FAECT during the Cold War, working as a civil engineer for consulting firms, and active in organizing on the job. Today he is working on social issues as a retiree.*

In 1947, Local 231 of the Federation of Architects, Engineers, Chemists, and Technicians (FAECT-CIO) had an excellent contract with Ebasco Services in New York, covering several hundred members. Ebasco was the design arm of the powerful offshoot of General Electric—Electric Bond and Share Co. It designed nearly all the postwar power plants throughout the United States, and did much international power industry construction. This company saw that the success of the union was stimulating organization at Babcock & Wilcox, Stone & Webster, and a vast number of other large engineering offices.

Ebasco, in alliance with other major engineering design firms, decided to break the union, preferring no union, but willing to settle for a company union or a weak AFL local. Ebasco laid the ground work carefully to stop this militant union of skilled white-collar technicians from succeeding in an industry they had thought was union-proof.

## Where Did the FAECT Come From?

The idea of organizing technical and professional people arose in the 1920s on the East Coast under the leadership of Marcel Scherer, a chemist and political activist. He and his brother Paul, a wine chemist, and Carl Winter, a draftsman for the Designs Division of New York City's Independent subway system, got busy organizing engineers and architects into the Union of Technical Men (UTM), a local of the International Federation of Technical Engineers, Architects, and Draftsmen's Union (IFTEADU). Before long, however, the UTM's record of militancy resulted in its expulsion from the right-wing IFTEADU. UTM continued as an independent organization, but with small success in organizing until the depression of 1929 brought on disastrous layoffs among engineers in government and in private industry.

Early in Franklin Roosevelt's New Deal, some UTM members won government appointments as labor advisors for the efforts underway to establish minimum standards under the Blue Eagle Codes. Isaiah Ehrlich and Martin Cooper were among the UTM leaders who testified at Congressional hearings on the Codes in Washington, D.C.

By the end of 1933, there were large groups of technical men meeting in cities throughout the U.S. and Canada. The coalition in New York City had offices at 233 Seventh Avenue, shared by other white-collar organizations—the Home Relief Bureau Workers, Office Workers, and State and Federal Employees. They helped call for a national convention in Chicago at the end of 1933 with representatives from groups in New York City, Rochester, Buffalo, Philadelphia, Washington, D.C., Pittsburgh, Youngstown, and Chicago, among others. The convention established the Federation of Architects, Engineers, Chemists, and Technicians, dedicated to organizing technical people into a labor union. Jules Korchien was elected the first president, Marcel Scherer secretary, and Harry Steingart treasurer. The officers attended a convention of the IFT-EADU seeking affiliation. They were rejected, and established the FAECT as an independent national organization. In the next few years, the organization spread to California, Michigan, Indiana, Minnesota, and Massachusetts.

The FAECT organized technical personnel, and worked closely with other unions that were organizing white-collar, clerical, cultural workers, and the unemployed. Their cam-

paigns for work helped to bring into being the Works Progress Administration (WPA), which built many useful projects and provided much-needed jobs. By 1936, the FAECT had 17 chapters with between 6,000 and 7,000 members who worked on WPA projects, in private industry and on civil service, as well as some members still unemployed.

## **The FAECT into the CIO**

The FAECT extended its organizing efforts to private firms and consulting engineering and architectural offices. When John L. Lewis, of the United Mine Workers, and others, formed the Committee for Industrial Organization, Lewis gave his support to the FAECT. He allotted \$57,000 a year for two years to FAECT, placing a number of organizers on his payroll and giving them free rein to unionize technical people. When the CIO held its constitutional convention in Pittsburgh and created the Congress of Industrial Organizations, the FAECT was a charter member. In the late 1930s and early '40s, the FAECT loaned some of its members to help organize other related unions: Austin Hogan to the Transport Workers, Sam Macklis to the Chemical Workers, Joe Selly to the American Communications Association, Joe Dermody to the United Electrical Workers, and Harry Steingart to the Teachers Union and an effort to organize nurses. These white-collar workers became militant, effective leaders of unions with large blue-collar memberships. Lou Berne became the second president of the FAECT as John Schyten, Sid Simon, Paul Pinsky, Howard Young, and David Adelson got active in the California Bay Area FAECT.

## **The FAECT during World War II**

At the outset, many FAECT members opposed U.S. participation in a war they thought would be a rerun of World War I between imperialist powers. President Roosevelt called in a number of CIO union leaders including Jules Korchien of the FAECT, and told them that unless they supported the war effort, they would see hell. Subsequently, the Dies Committee on Un-American Activities attacked the FAECT and other left-progressive unions.

When the character of the war became clear later in 1941 as an anti-fascist struggle of heroic proportions, the FAECT and

its members participated actively. Their unique contribution was to popularize methods of planning for war production. They offered their technical resources to other unions engaged in such planning.

The FAECT did a lot of organizing during the war. It won contracts in the electronics field (Emerson, Radio Receptor, Federal Radio, International Telephone and Telegraph, Radio Corp. of America), heavy machinery (Otis Elevator, Norden, General Electric, International Harvester, York Research, Midvale Steel), auto (General Motors and the Society of Design Engineers), oil and chemical (Universal Oil Products, Shell Oil in Richmond, California), marine draftsmen (Bethlehem Steel, Cox & Stevens), civil service groups in the nation's capital, Minnesota, and New York, and Lawrence Laboratories in Berkeley. The FAECT won contracts with numerous architectural and design offices such as Ebasco.

The FAECT cooperated closely with sister unions, such as the Marine Draftsmen's Association, which had locals in several East Coast cities. (However, Walter Reuther and others in the UAW-CIO claimed jurisdiction over the FAECT engineers in GM and Ford, and the FAECT did transfer them to the UAW.) The influence of the FAECT was growing among professionals. Their militancy and political understanding was also growing. It appeared that they were ready to join with all working people in their struggles. In December, 1945, the FAECT sent greetings to the eight-nation convention of the Soviet Trade Union Congress: "We followed with great admiration the struggle and achievements of your people, scientists and specialists in achieving victory over fascism."

### **Busting the Union at Ebasco after the War**

The end of World War II led to reconversion, and to strikes led by militant veterans returning to smokestack industrial jobs under CIO contracts. White-collar companies were determined to avoid this kind of "disruption" at all costs. Ebasco told its lawyers to design a careful strategy to destroy FAECT Local 231 and, in the process, to bring down the international union.

Ebasco's first contract with Local 231 would expire September 1, 1947, by which time the corporation hoped the Taft-Hartley amendments to the Wagner Labor Relations Act would have become law. In the anti-union climate of late 1946, on December 16, Ebasco signed a contract with Project Engineer-

ing Company, a new partnership in exactly the same business as Ebasco. Between December and September, 1947, Ebasco contracted out some of its planning, design, and drafting work to Project employees paying higher salaries than Ebasco paid, and billing Ebasco customers for the time worked by Project employees, plus a profit for Project. Ebasco supervisors began to spend more and more time supervising Project employees at Project headquarters.

When FAECT requested negotiations on the contract, the company refused to bargain in good faith on the contract, forcing the workers to go on strike September 5, 1947. Taft-Hartley was three months old.

Immediately, Ebasco transferred more work to Project, to Design Service, and to other similar companies, until 75 percent of Project's work was Ebasco jobs. This meant added work for Project workers, leading to overtime, and more Ebasco supervisors over Project workers.

Jack Sternbach, who worked for Ebasco, led the strike. He and the FAECT approached Project and asked that it refuse to accept work that had come "off the boards" at Ebasco. Project rejected this plea. On October 28, the FAECT members began daily picketing at Project, carrying signs calling Project a scab shop for Ebasco.

The picketing was peaceful, and effective. A number of draftsmen and designers resigned from Project rather than be scabs.

At Design Service, another Ebasco subcontractor, Max Mandel had to play a difficult role. He had been a member and continued to support the FAECT; he was also chief of the structural department, supervising 25 workers, with whom he discussed the strike at Ebasco. As a result, 24 of the 25 workers walked the picketline at Design Service, while Mandel, as part of management, crossed the line to supervise one scab worker. No other department had such a large number of pickets.

*Editors' note: Management questioned Mandel closely about his loyalties, but he managed to keep his job, even after he failed to identify any of the pickets at a hearing.*

Having tried farming out its work, with no immediate success, Ebasco settled down for a long strike. It sought, and received, help from other firms. It sought, and received, help from attor-

ney Walter Gordon Merritt, who had won the infamous Danbury Hatters "antitrust" case in the Supreme Court in 1908. It sought, and received, help from the regional director of the National Labor Relations Board under the new Taft-Hartley Act provision making it an unfair labor practice for a union to conduct a secondary boycott to injure the business of a third party not involved in the dispute.

But this was not a one-sided struggle. The FAECT sought, and received, help from other unions. Workers came out on the picketline, some repaying the FAECT for its contributions to their unions during the war. And the FAECT sought, and received, help from its attorney, Leonard B. Boudin, who represented the union in the hearing on the Board's petition to enjoin the union from picketing Project. The FAECT also sought help from the national CIO, of which it was a feisty member. There was little response from the national headquarters, and no financial support.

The federal district court judge assigned to hear this petition, one of the first under the new labor law, was Simon Rifkind. Boudin did a masterful job of presenting the real facts in the case through determined union witnesses who had done their homework and could prove that Project was no "disinterested third party" unjustly boycotted by the FAECT.

In a precedent-making decision issued in 1948, Judge Rifkind looked the facts in the face and, in a carefully reasoned opinion, held that "The economic effect upon Ebasco's employees was precisely that which would flow from Ebasco's hiring strikebreakers to work on its own premises. The conduct of the union in inducing Project's employees to strike is not different in kind from its conduct in inducing Ebasco's employees to strike. If the latter is not amenable to judicial restraint, neither is the former. . . . It must be apparent that a construction of the Act which outlaws the kind of union activity here involved would almost certainly cast grave doubts upon its constitutionality."

For these reasons, Judge Rifkind held there had been no violation of T-H section 8(b)(4)(A) and refused to issue the injunction against the union.

## Defeat Out of Victory

This was a great victory for the FAECT, which had been picketing Ebasco since September, 1946. And it proved to be an



important victory for the labor movement as a whole. This decision became a precedent limiting the injunction power of the NLRB, even under Taft-Hartley, to stop a secondary boycott, when a struck company tried to ship out its work to another company.

Ebasco lost the case, but the one million dollars it spent to defeat the union was well spent. The strike was lost, the members lost their jobs, and the weakened FAECT decided to merge with the United Office and Professional Workers Union (UOPWA-CIO). Their legal victory over Ebasco came as the CIO was helping employers nail the coffin lid on all rank-and-file-led left unions. Walter Reuther was particularly antagonistic to the FAECT and its leaders. He had tried to short-circuit its efforts to organize workers in auto and even set up a special division in UAW as a would-be substitute.

The 1949 CIO Convention in Cleveland expelled the UOPWA and the FAECT.

Since the breakup of the FAECT, not many serious attempts have been made to organize the engineers and scientific workers of this country into militant unions. Many company unions exist at various engineering companies, flourishing in an era of almost full employment and rising wage scales in this field, due largely to military work started in World War II and continuing in the perpetual cold war since. One attempt was made in the late '60s when Progressive leaders from the former FAECT replaced the right-wing leadership of the IFTEADU in New York. For ten years organizing of the engineering staff of the giant Port Authority of New York and New Jersey went ahead, with many benefits obtained. During this time, the IFTEADU changed its name to the International Federation of Professional and Technical Engineers, and the local union organizing was headed by Joe Tokiss, A Port Authority engineer. When the final union vote was taken, the union lost by a very small margin, owing to tremendous anti-labor efforts and expenditures by management.

## 47 ♦♦ CIO UNIONS ATTACK CIO OFFICE WORKERS

♦♦ Tuz Mende ♦♦

*During the Cold War, Tuz Mende was an active member of the United Office and Professional Workers (CIO) working for the National Maritime Union (CIO). Today she is an active member of Berkeley Women for Peace.*

*Excerpts from remarks at Meiklejohn Civil Liberties Institute's 1980 symposium, "Are You Now or Have You Ever Been. . . ?"*

I want to answer the question "Are you now or have you even been. . . ?"

I was then, and I am now, a woman [applause] and hopefully, hopefully, more of a woman now than I was then [applause].

It is very difficult, particularly for the younger women in the audience, to recognize that, as women trade unionists, we considered that our prime responsibility during World War II was to help win the war. We were trade unionists first, and we were women afterwards.

That seems a long time ago, and you can't really lift a page out of history. But at that time, and today, in retrospect, I think that *was* the most important thing we could do, because without winning the war against fascism, none of us would be where we are today. The relevance of the women's movement to the trade union movement, to the unity of men and women in the trade union movement, would have been impossible.

While the United States and the Soviet Union worked together from 1941 to 1945, all of labor was united in the war effort. The no-strike policy was endorsed by the National Mar-

itime Union-CIO, by other unions, and by the Communist Party.

The National Maritime Union played a most heroic role during those years. The NMU was, to a man (and I mean that word advisedly) resolutely opposed to fascism. In 1936-37, 800 NMUers left the picket line and went to Spain, where 221 were killed as "premature anti-fascists."

The NMU had a fine education department in that period, headed by Leo Huberman and Charles Obermeyer. The NMU had a social service department headed by Bertha Reynolds. NMU had an ongoing program to upgrade seamen, a leadership school, and a long history of integrating blacks and whites in all departments aboard ship. NMU had an excellent newspaper, *The Pilot*, and what we then considered fine cooperation between my union, UOPWA, and our bosses, the NMU.

This was a unique situation: one progressive union working for another progressive union. All of the office staff in the NMU were members of United Office & Professional Workers of America-CIO. Our primary aim was to help win the war, and the best way to do that was from maximum effort on a daily basis, to give more than a day's work for a day's pay.

The UOPWA also worked on the special problems of its members, and of the 1,500,000 clerical and professional workers in the country during and after the war. In 1944, our union prepared a bill, introduced by Sen. Claude Pepper (D-Fla), to create a White Collar Commission that would define "white-collar workers," establish industry job classifications, and seek salary increases for those who were unorganized.

### **UOPWA Fought T-H, and Other CIO Unions**

UOPWA began in 1937 as a CIO union. From the beginning, under the leadership of Louis Merrill, we were accused of always following the line of the Communist Party. Of course, there were Communists and non-Communists among the membership, and our union grew to a membership of approximately 26,000 in 1940. By the end of 1946, we had 65,000 members with 250 contracts in commerce, finance, and industry, plus an additional 5,000 members of the Federation of Architects, Engineers, and Technicians (CIO), which merged with us [see section 46].

The program of our union, then, must have answered the needs of the membership. Could we all have been duped?

Could we all have been paid off with Moscow gold?

I, for one, shall always be grateful for Norma Aronson, who was in the leadership of our union. She fought for the right of white-collar workers to be organized, black and white. She was villified, criticized, and hounded, but she never lost her dedication or her integrity.

Despite the beginnings of repression in 1948, our union took a firm stand against the Taft-Hartley Act. The National Labor Relations Board refused to place UOPWA on the ballot in a representation election. Many companies refused to deal with us. We began to lose a large portion of our membership, and we were raided by right-wing unions including the UAW, the Toy & Novelty Workers, the Oil Workers, the Shipbuilding Workers, the Transport Service Workers, and the Paper Workers. Even unions with whom we had contracts refused to bargain. Both the National Maritime Union-CIO and the Transport Workers Union-CIO served notice that they would sever relations when the contracts expired.

Finally, in 1948, faced with the complete dismemberment of our union, some officers decided to sign the oath, pointing out to the membership their firm opposition to Taft-Hartley.

Then, at the Tenth Convention of the CIO, in November, 1948, CIO President Phil Murray vehemently attacked the leadership of UOPWA, United Public Workers, and Food, Tobacco, Agricultural & Allied Workers in his opening address to the delegates.

UOPWA delegates took the floor to answer Murray's denunciation, providing a few salient statistics: The union had grown from less than 4,000 regular dues paying members in 1937 to a steady 56,000 in March, 1948. It had organized insurance agents in the powerful insurance companies—Prudential, Metropolitan, and John Hancock—winning increases for them of over \$20 million a year. It had successfully organized the first white-collar union in the movie industry and raised salaries from an average of \$25 to over \$51 a week. In the field of social service, banking and technical and scientific workers, UOPWA had opened new fields to unionism and established pay levels ranging from \$50 to \$100 a week for workers formerly receiving pitifully meager salaries. UOPWA had also aided other industrial CIO unions in lining up office workers, in some cases turning workers first organized in the UOPWA over to these unions.

UOPWA delegates reported that raids by other CIO unions,

dovetailing with employer attacks, had temporarily taken a toll of 14,000 members. Despite such attacks, contracts covering over 40,000 workers had been renewed successfully with major gains for the workers.

But the damage had been done. After the 1949 CIO Convention, the UOPWA was tried by the CIO on the specific charges of: support for Henry Wallace; opposition to the Marshall Plan and the Atlantic Pact; and support of the World Federation of Trade Unions. UOPWA was accused of having taken an active part in the movement for opening the Second Front in Europe to shorten World War II, and of demanding, after the war, the withdrawal of U.S. forces from Europe and Asia.

UOPWA was convicted and expelled. Thereafter, we lost power and prestige, and we became part of District 65 of the Distributive Workers of America. Today, some of our members are active in the Office and Professional Employees International Union, OPEIU AFL-CIO, carrying on the militant rank-and-file unionism we learned in the UOPWA-CIO.

# **48 ♦♦ UNITED PUBLIC WORKERS: THE CONSCIENCE OF THE CAPITOL**

♦♦ Rhonda Hanson ♦♦

*For author note, see section 22.*

## **Getting the Government to Enforce an Executive Order**

The United Public Workers learned a great deal about the United States Government as employer during its early years [described in section 22]. UPWA-CIO learned especially about the delay and weakness with which Government agencies would enforce their own orders when that would benefit Government workers, particularly Blacks, women, and union members. Based on this strong history, the UPWA was skeptical about enforcement of President Truman's 1947 Executive Order on Fair Employment Practices. They were right.

Two months after issuance of the Order, no FEP Board had been named and only three Departmental officers had been appointed. The Civil Service Commission, charged with enforcing the order, itself continued to maintain Jim Crow units and refuse promotions to minority groups. Personnel policies that "can only be interpreted as officially sanctioned defiance of the intent of the Order" existed in the Veterans' Administration, Post Office Department, Census Bureau, Bureau of Standards

(Department of Commerce), Department of Justice, Reconstruction Finance Corporation, Bureau of Internal Revenue (Treasury Department), and other government agencies.

The UPWA called for action, not words, and urged the Order be amended to include: 1) an FEP Board independent of the Civil Service Commission, responsible directly to the President; 2) investigatory powers; 3) penalties for violations; 4) abolition of the government's Jim Crow "silver-gold worker" system maintained in the Panama Canal Zone; and 5) appointment of an Afro-American to the Civil Service Commission.

One particularly flagrant violation of the intent of the FEPC was the cancelling of printer's apprenticeship exams at the Bureau of Engraving and Printing (BOE), effectively denying Black employees the chance to become skilled printers in the agency. At the same time, the Bureau was hiring white printers from the outside, despite the fact that they too had to be trained in the special work done at the Bureau. No Blacks were employed at the Bureau as printers.

The UPWA sought redress under the Executive Order. The Treasury Department's FEP officer was uncooperative and refused to consider the complaint. Calling the Bureau of Engraving "notorious" for policies that discriminate against Black workers, the UPWA pressed the case against the BOE before the FEP Board of the Civil Service Commission.<sup>1</sup>

By this time the percentage of Black male workers in white collar and professional jobs had risen from 5.6 in 1940 to 7.2 in 1950, and that of craftsmen and operatives from 16.6 percent of the total in 1940 to 28.8 percent in 1950. Most of the gains occurred between 1942 and 1945, and retrogression set in as soon as the war ended.<sup>2</sup>

On January 29, 1950, more than 1,000 people assembled at Shiloh Baptist Church to protest Jim Crow policies at the BOE. In addition to the suspension of the Apprentice Printers Exam and the refusal of the Bureau to admit Blacks to apprenticeship programs, the protest was leveled at the refusal to hire Blacks as skilled craftsmen, discrimination in promotion and hiring for clerical, supervisory, and administrative jobs, and Jim Crow locker rooms and toilets.<sup>3</sup>

In February, 1950, the FEP Board issued a ruling favorable to the union. The union hailed it as a tremendous victory, but in September they were still fighting for its enforcement.<sup>4</sup>

The Union also engaged in direct negotiations with agencies. In January, 1951, UPWA, under the leadership of its Black Sec-





## FIGHTING THE BLACKLIST

### ♦♦ Abram Flaxer ♦♦

*At this time, Flaxer was president of the United Public Workers of America.*

*From hearings before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate, "Subversive Control of the United Public Workers of America," October 5, 1951.*

**Mr. Flaxer:** I have produced all the items in the subpoena called for except one.... The item which I have not produced is ... the membership lists of our union. The demand for the production of this item raises a number of profoundly serious issues. From the very beginning of the union movement in this country, the rights of unions to the privacy of their membership records ... has been one of the basic precepts to which the labor movement of America has adhered. Bitter experience has taught American labor that the right to join a union is an empty right unless the fact of membership can be kept private.... Countless decisions of the National Labor Relations Board and of our Federal courts have upheld that right. Indeed the mere query by an employer of an employee as to his union membership has been held to be an unfair labor practice even under the Taft-Hartley Act....

**Mr. Arens:** Did the United Public Workers' organization have the information available which is called for in the subpoena?

**Mr. Flaxer:** Well, we generally have such information.

....

**Senator Watkins:** ... You are directed by the committee to produce those records according to the terms of the subpoena.

**Mr. Flaxer:** Again I plead with the chairman to reconsider the entire matter, because I think that you are infringing on a right that workers in America have, including Federal employees. You are the Government. You are the employer. You are an employer asking for membership lists. You want your own employees to identify themselves as to their trade-union membership.... There are cases on record, upheld by the Federal courts of the United States, where the employer is enjoined from asking a person whether he belongs to a union.... I don't

think that these lists can be looked upon in any other light than as blacklists.

*Editors' note: When Flaxer, in reply to a question, said the list could be prepared in a week, Senator Watkins ordered him to submit it "within 10 days from this date." Flaxer never submitted the list. Later the subcommittee recommended that he be proceeded against for contempt of the Internal Security Subcommittee for "failing and refusing to produce before the subcommittee the membership records of the United Public Workers of America" on October 5, 1951, the day of his testimony, not 10 days later.*

## FACTS FOR FIGHTING THE BLACKLIST

### ♦♦ United Public Workers of America

*The following was excerpted from a mimeographed 58-page memorandum issued by the UPWA in 1952 in support of President Abram Flaxer's refusal to turn over the union membership list to the Senate Internal Security Subcommittee, pages 52-57.*

#### A. Attitudes of Heads of Government Agencies to Unions

##### *General Record of UPW*

Any union that has had dealings with Government agencies, in particular any union that has negotiated with heads of such agencies, knows that these heads are often as viciously anti-union as any employer. Innumerable instances of this, from the records of United Public Workers, could be given.

There is reason to believe that the present attack on UPW was dictated to some extent by the seething discontent among this country's 6 million public workers. This is the period (Spring) when most employees come up for wage increases and other improvements. However, many local and state administrations are pleading incapacity to pay, the "crisis" in the financial status of New York City being the most spectacular instance. And President Truman's request for a 10 percent raise for Federal employees has thus far been shelved by Congress. Hence the necessity at this time to silence the UPW, which has been the most aggressive and outspoken champion of the public workers.

*Infringement of Trade Union Rights in Panama Canal Zone*

The United States employs some 14,000 West Indian Negroes and Panamanians in operating the Panama Canal. In that area, the Government as an employer maintains official segregation and discrimination. Negro employees are segregated in slum housing. They receive approximately 25 percent of the wage rate of white workers doing the same job. Until these Negro workers were organized in 1946 into Local 713, United Public Workers of America, minimum wages in the Canal Zone were 12 cents an hour! At the present time, the minimum wage is 31 cents an hour.

The United Public Workers represented the local rate (West Indian Negroes and Panamanians) employees for four years (1946-1950). During this period it succeeded in establishing a grievance machinery. It also succeeded in getting the U.S. Canal Zone Administration to remove the hateful and humiliating signs which had designated drinking fountains, rest rooms, playgrounds and public buildings "For Silver (Negroes) Only" and "For Gold (white) Only."

But the practice continues. Instead of signs, bigoted foremen and supervisors are using different color paints to get across their prejudices. Certain drinking fountains are painted white, and others brown. Rest rooms are painted in different colors. It is also understood that Negro employees incur a risk by attempting to use playgrounds.

It was under such conditions that officials of the United States Administration of the Panama Canal Zone sought to weaken and destroy the UPW by intimidations, threats and actual persecutions.

First, a local rate employee who had become an active leader of the organization was framed and sent to prison. Then a white organizer of the Union—a veteran and a father—was sent to jail on a charge of "defaming the character" of one of the Government's chief agents. Finally, the Regional Director of the Union, a citizen of the United States, was ordered to leave the country by the Panamanian Government—it was reported, at the behest of the United States Government. In order further to seal off the local rate employees, they were denied visas to visit the Union headquarters in the United States, and Union officials in the U.S. were denied passports, or had their passports picked up, when they sought to visit the local Union in the Panama Canal Zone.

Continued repression has all but destroyed any legitimate

self-organization of the local rate employees. Even the Gold employees began to complain and resign their jobs in increasing numbers because of the poor pay and other bad conditions (*New York Times*, May 13, 1951).

#### *New York Welfare Department*

Some (months) ago, the *Saturday Evening Post* treated its millions of readers to a choice dish of fantasy concocted by Raymond M. Hilliard, former Welfare Commissioner of New York City. Purporting to be a description of how Hilliard 'threw the Commies out' of his department, the article actually told a gruesome story of officially sponsored stoolpigeon activities directed against members of Local 1 of the United Public Workers (Independent). Hilliard (boasted) of harassing and persecuting the unionists, setting police spies, disguised as welfare workers, on their trail, switching them from job to job, suspending and fining them on the slightest pretext. Of the department's 7,000 employees, 4,500 quit in three years under this hopped-up persecution.

But in the long run it was New York's destitute who were the chief victims of this nasty business. Hilliard cut food and clothing allowances for the aged, widows, children and vets. He chiselled \$10 million from the poor by forcing relief applicants had to wait a full two months for certification. Meanwhile, they could beg, borrow or starve....

#### **B. Danger of Precedents: Public Worker Unions Have Been Guinea Pigs**

The fact the the attack on the United Public Workers involves public employees only can bring no security to unions organized under private employers. There is a dangerous precedent in question here. Experience in the past five years indicates that *repressive measures are usually tried first on the still largely unorganized government workers*, by the very officials who are responsible for the most rabid anti-union legislation, often. These officials trade on the prevalent belief that public employees do not have the same rights as other workers. Then, after a guinea-pig period, the unionbusting schemes are extended to all labor.

The infamous Taft-Hartley Act itself has had this kind of development. It originated in the Government's no-strike ban against public workers and in its entire loyalty check program. When the rest of organized labor failed to come to the defense of the public workers with sufficient speed or strength, within

a year much the same program was saddled on labor as a whole.

No, UPW is not alone in having experienced powerful opposition in dealing with Federal agencies. Government is not only the biggest openshop employer. It is also this nation's biggest purchaser. It can, when and if it wishes, aid any drive against unions through its buying policies. Thus, the Amalgamated Clothing Workers (CIO) union recently charged that the Government favored non-union employers when placing contracts. And Emil Rieve, President of the United Textile Workers (CIO), has complained that the Federal tax policies have encouraged the running away of plants from North to South.

### C. Numerous Companies That Do Government Work

The difference between private industry and government work, heretofore used as an argument that unions in private industry are not subject to the same limitations and restrictions as public workers, is beginning to mean less and less. As the Government's budget mounts to \$80 billion and with Government contracts placed with thousands of private companies, the relationship between private industry and Government becomes a very strong one, indeed. Hence, any precedents that are extended to Government workers will have a strong tendency to be extended to private industry's employees.

A very good example of this entire viewpoint is the accepted precedent, well-established in this country, that public workers cannot strike against government. Accordingly, when the Government seizes any industry, as for example the railroads or the coal mines, or very recently, the steel mills, the word goes out immediately that the workers cannot strike against the Government; hence the strike is called off. This type of thinking was expressed very well as early as 1941, in the case of the North American Aviation Company strike in Inglewood, California. The *Los Angeles Times*, in an editorial, pointed out that North American was working 100 percent on Government contracts. Hence, a strike by its employees was tantamount to a strike against the Government! (The NAA workers were making fifty cents an hour!)

It is obvious that the same point can and certainly will be made in the case of a union refusing to give its membership lists. If public workers give them, then why not workers in pri-

vate companies that have 100 percent contracts with Government? And if companies with 100 percent Government work, why not those with some Government work? Etcetera, etcetera.

## SUMMING UP A SHOOTING STAR

♦♦ Rhonda Hanson ♦♦

"Once the UPWA took the position on the right to strike," George Meyers says, "the government really went after them to smash them. And smash them they did." First the union faced a higher level of red baiting in Congress and the press. This led to additional loss of federal and state jobs by UPW members.

In 1950 the UPWA was purged from the CIO, along with 10 other unions accused of being "Communist dominated." [*Abram Flaxer sheds light on the real reason for the purge in section 37.*] After its expulsion, the membership of the UPWA fell sharply. In 1953, it was disbanded.

But the legacy of the UPWA lives on. In its short 13-year history, this little shooting star of a union helped transform Federal employee unionism by opening the doors of the trade union movement to thousands of previously unorganized, unskilled, blue collar workers, Blacks, and women, and by raising trade union consciousness among Federal workers. The union introduced collective bargaining into the Federal sector almost 25 years before it was legalized by John F. Kennedy's 1962 Executive Order.

The dedication of the UPWA to the struggle for equal rights was a reflection of the multi-racial character of the union brought about by its progressive leaders, who were, in turn, influenced by the membership to intensify their anti-discrimination work. While it is important not to romanticize or overestimate the role of the union in the struggle for equal rights, in the context of its times, its contributions were really quite remarkable.

When the UPWA died, a strong voice for equality was silenced. Black Federal workers, perhaps more than any other group of government employees, felt the loss. Al Bernstein summed it up: "We were the conscience of the town.... We were much more than a union.... We were an important social movement."

Five years after the union's demise, the Supreme Court reversed the contempt conviction of UPWA President Abram Flaxer on a narrow due process ground: "Certainly we cannot say that [Flaxer] could tell with a reasonable degree of certainty that the Committee demanded the lists this very day, not 10 days hence." 358 U.S. 147, 151 (1958).

Twenty years after the government and the CIO killed the UPWA-CIO, its rival, AFGE-AFL-CIO, took up its banner, and by 1984, was in the lead among U.S. unions [*described in section 88*].

## NOTES

1. UPWA, *Public Record*, Jan., 1950.
2. Foner, Philip, *Organized Labor and the Black Worker* 270 (New York 1976).
3. UPWA, *Public Record*, Feb., 1950.
4. *Op. cit.*, Mar. 1950.
5. *Op. cit.*, Jan. 1950.

## **49 ♦♦ NLRB AND TAFT- HARTLEY ATTACKS ON UNIONS AND LEADERS**

♦♦ The Editors ♦♦

### **NLRB Decertification Fights**

Militant unions and their leaders faced two new kinds of government sanctions during the most repressive Cold War period. Unions were taken off NLRB ballots and union leaders were sent to prison.

After UE and IFLWU officers finally signed the non-Communist oaths in 1950 [*after the struggles described in sections 44-45 and 50-51*], the NLRB tried to suspend their compliance status. The unions went to the federal courts and won injunctions against the NLRB, and in 1954 the U.S. Supreme Court let these injunctions stand.

This was a victory.

But in the meantime, on November 10, 1953, the Board had changed its policy. The Board began to refuse to hold representation elections for a union whose officers were under indictment for filing false affidavits. Such delays were certain to work against Mine-Mill, IFLWU, and UE, some of whose officers were then awaiting trial or appeal on perjury charges.

The unions fought back, effectively. A few examples tell the story.

Mine-Mill faced one of the most dramatic and drawn out decertification fights. The trouble started because the Preci-



sion Scientific Co. refused to bargain with the union. The union filed a complaint with the NLRB. The company retaliated by challenging the veracity of the Taft-Hartley affidavits filed by Maurice Travis, the union's secretary-treasurer. The NLRB at first refused to consider that issue during the unfair labor practice proceeding. But later, in February 1954, the NLRB suddenly took the initiative and ordered an "administrative investigation" into the truth of seven T-H affidavits filed by Mine-Mill between 1949 and 1953.

At the same time, Ben Gold's Fur & Leather Workers Union was having the same problem. His union had filed a complaint against Lannon Manufacturing Company, which struck back by challenging the veracity of the union's 9(h) affidavits.

In February 1955, the NLRB found seven Mine-Mill affidavits to be false, and the seven who filed *knew* they were false, so the union was not in compliance with T-H and therefore not eligible to assert its rights under the National Labor Relations Act. The Board decided that when Maurice Travis made a public statement on resigning from the Communist Party (just before signing his T-H oath), this meant he still believed in and supported the C.P.

On February 11, 1956, the Court of Appeals upheld the NLRB. Adding insult to injury, the NLRB promptly dismissed Mine-Mill's complaint against the Precision Scientific Co., although it still refused to bargain as required by NLRB law.

The union immediately filed suit in District Court seeking a reversal of the NLRB decomppliance order. This time, Precision Scientific Co. intervened in the suit, and the District Court denied the union a preliminary injunction.

## **Victory in the Highest Court**

On December 10, 1956, Justice Douglas delivered the Court's unanimous decision in the Mine-Mill and Fur & Leather Workers' cases [352 US 147, at 148]:

We agree with the [Court of Appeals] that the Board has no authority to deprive unions of their compliance status under Section 9(h) and that the only remedy for the filing of a false affidavit is the criminal penalty provided in Section 35 A of the Criminal Code....

An absolute victory! This decision got the NLRB out of the business of directly policing the politics of union officers, but it did not end their Cold War legal problems.

## Taft-Hartley Perjury Prosecutions

Active union members and leaders faced dangers in this period beyond getting arrested on a picketline and charged with an act they had not committed. In trials for assault or battery after a strike, union leaders might be acquitted by a jury, especially if they were tried in their hometown where they were well-known. In hard-fought strikes, violence on the line was not uncommon, but criminal charges were often dropped in negotiating the final terms of a new contract. (Of course, when a strike was lost, union members and leaders were sometimes convicted and sentenced to long terms.)

Now the Cold War added to these traditional dangers the threat of new, federal criminal charges. One of the first victims was local CIO leader Harold Christoffel, convicted of perjury for denying before Congress that he was a Communist [see section 42]. Then, with passage of the Taft-Hartley Act, perjury charges began to hang over the head of every progressive union official in the United States. This threat continued from 1947, when section 9(h) became part of T-H, until 1965, when Archie Brown challenged the successor to the T-H oath [see section 84].

Taft-Hartley Sec. 9(h) provided that processes of the NLRB would not be available to a labor organization "... unless there is on file with the Board an affidavit executed ... by each officer of such labor organization ... that he is not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or supports any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods. ..."

Once the Supreme Court had ruled this oath was legal [described in section 38], and once a union decided it had to comply in order to survive, left-progressive union officers had two basic choices: to take the oath and prepare for possible perjury prosecutions, or to resign from their union positions. Those who had not been members of the Communist Party had no easier task than those who had been members of the Party. They all faced the same possibility: that informer witnesses would testify that they were current members in front of federal jurors who did not know them, jurors who were not likely to be members of militant labor unions with the capacity to consider that the defendant might be innocent.

## Summary of Perjury and Conspiracy Changes

Union leaders Ben Gold and Maurice Travis had openly resigned from the Party and then signed the oath. They were indicted, tried, and convicted. Marie Reed (UE) and Fred Haug (Mine-Mill) had dropped out of the Party before they signed the oath. They were also indicted, tried, and convicted. They all appealed from their perjury convictions to the highest court. Gold's and Travis's convictions were reversed by the Supreme Court, but not on the basis of the evidence [*Gold v. U.S.* (352 US 985 (1957)); *Travis v. U.S.* (364 US 631 (1961))]. The Court found unfairness in their trials [see sections 50 and 74]. The Supreme Court refused to hear the appeals of Reed and Haug, who had been tried with six other defendants, all allegedly leaders of the Communist Party [see section 81].

Union leader Clinton Jencks and many others signed the oath, and later were arrested for lying about membership; they pleaded not guilty. They were also indicted, tried, and convicted. They all appealed. Union leader Hugh Bryson was charged with being affiliated with the Communist Party, not with membership; this put a much lower burden of proof on the government. He was also tried and convicted.

Altogether, at least ten people were tried individually for filing false T-H oaths, according to Justice Tom Clark, including three from UE, two from Mine-Mill, one each from Fur & Leather, Marine Cooks & Stewards, and International Woodworkers. In addition, one local UE and one local Mine-Mill leader from Cleveland were tried for conspiracy to cause false T-H affidavits to be filed [see section 81], as were 14 leaders of Mine-Mill [see section 74]. Both trials ended in convictions. Ultimately the Cleveland leaders went to prison; the Mine-Mill leaders finally had their convictions reversed.

Who were these people? Ben Gold and Hugh Bryson were presidents of their left-progressive unions, Fur & Leather and Marine Cooks & Stewards; Maurice Travis was secretary-treasurer of Mine-Mill. Jencks and Haug were local Mine-Mill leaders. Marie Reed was a UE leader in Cleveland. Everest Hupman and Walter Lohman were rank-and-file UE leaders in Dayton, Ohio; John Killian was a UE leader in Illinois. Avalo Allison Fisher was a local leader of International Woodworkers Union.

The government had to put on 10 trials of the 10 defendants, and at least five retrials because the defendants and their

unions fought each of these cases hard, with dedicated union lawyers. In the end, the Supreme Court reversed or vacated four of the five cases it heard, but it refused to hear at least six of the appeals. Jencks, Gold, and Travis all won, ultimately.

Hupman, Bryson, Lohman, Killian, Fisher, Reed and Haug all served time in prison before this fundamental attack on the rights of labor ended and the right to hold union office and political opinions was formally restored [*described in section 84*].

## 50 ♦♦ TAFT-HARTLEY AND THE INTERNATIONAL FUR AND LEATHER WORKERS UNION

♦♦ Harold Cammer ♦♦

*Harold Cammer has represented many labor organizations and has been involved in civil liberties issues since the mid 1930s.*

When the Cold War began, the International Fur and Leather Workers Union had 100,000 members. It was not a large union. Nor was it ever of strategic or other significant importance to the national security or safety, even as those concepts were later expanded during the Nixon-Kissinger era. Nevertheless, the IFLWU and many of its officers became, and remained, targets for intensive government persecution as the Truman administration adopted programs for the containment of Communism.

How would this union deal with the many legal attacks it faced? Could the IFLWU survive as an independent international? If not, what stronger union could take it in?

The government's concern with the IFLWU was provoked by the fact that its president, Ben Gold, was, and for many years had been, an active member of the Communist Party and that some, but by no means all, of the officers of its larger fur locals were also Communist Party members.

Gold did not "admit" his Party membership; he avowed it at every opportunity. And his avowals apparently did not impair

either his popularity with the membership or their intense loyalty to the union. This was the more remarkable because of the heterogeneity of that membership; it included many races, nationalities, religions, creeds, and colors in fur shops and factories in crowded midtowns across the country as well as in isolated tanneries in remote mountain areas in the North, South, East, and West.

### **From Murder, Inc. to the CIO**

Gold had emerged as a leader of the New York fur workers after a long and bloody strike in 1926. This strike was part of the pattern of violent labor strife that swept the nation during the 1920s. These strikes were especially violent in the New York needle trades where fierce struggles were taking place between the AFL, on the one hand, and the Trade Union Educational League, on the other. The employers were hostile to any unions, but especially so to the Communist-led TUEL. Their opposition was buttressed by the police and the courts and it was also reinforced by "protective" associations organized by Murder, Inc. and other gangsters.

Murder, Inc. was a notorious gang of extortionists led by Lepke and Gurrah who for many years had openly terrorized the needle trades and the food, trucking, and other industries in New York, enforcing their demands through beatings, bombings, and murder. After Gold assumed leadership of the fur union, they attempted to capture the union offices by an armed invasion. A mass outpouring of fur workers gave them such a beating that they never tried again. Two officers of the union, Sam Burt and Irving Potash, were the only witnesses brave enough to identify Lepke and Gurrah during their subsequent trials. Their testimony led to convictions and the end of the gang's dominance.

Gold, though slight of stature, showed enormous physical courage in leading the strikers to hold their lines. After a dramatic confrontation with top leaders of the American Federation of Labor at a strike meeting in Carnegie Hall in 1926, he finally won the first 40-hour week for a United States union. He also won union recognition, wage increases, and other benefits.

With this recognition, would the fur workers be able to organize effectively into a strong, united union? It was an uphill battle. The work was highly seasonal and sweatshop

conditions prevailed in all of the needle trades. The evils of homework and outside contracting were everywhere. There was then no legal protection of the right to join or form unions. Even the right to strike and to picket was constantly challenged by hostile police, and by employers relying on courts to issue injunctions without notice to the union or to its lawyers. Blacklisting was legal. The law permitted open hiring and transportation of strikebreakers, and the formation of company unions. There were no national laws setting minimum wages or maximum hours. There was no unemployment insurance, no social security. Workers could rely only on their own courage, unity, and willingness to sacrifice to build their union.

But the fur workers, first in the TUEL, and later in the Trade Union Unity League, accomplished this task and in 1935, Gold achieved a merger with the AFL.

When, in 1936, the Committee of Industrial Organizations was formed, the Fur Workers Union was among the first to join it. The small union made enthusiastic contributions to the growth of the CIO in auto, steel, textile, rubber, and elsewhere. Considering its size, the Union's financial and organizing contributions were at least as great as those of any other union.

### **Organizing Leather Workers**

By 1938, word of this remarkable union had spread far and wide—to the independent leather workers in the Lynn-Peabody-Salem area in Massachusetts, most of whom were Irish Catholic, and to the AFL Leather Workers in the Midwest and South, most of whom were everything else. Both groups asked the predominantly Jewish fur workers union to help them organize the leather industry. The fur workers agreed to finance and lead such an effort and in 1939, the fur and leather unions merged.

The leather unions had been in existence for decades, but they had made very little progress either in organizing or in improving the low wages and appalling working conditions that prevailed in the industry. Average earnings were 50 cents an hour. The work was hard and dangerous. Workers processed heavy, wet cattle hides in a noisy, stinking environment, using slippery vats holding lime and other poisonous and corrosive chemicals. Many tanneries were in company towns accessible only by lonely roads in mountain areas. They had been located in these remote areas because water and the tree bark then





The Leather Division of the IFLWU quickly became the target of an avalanche of raids and unabashed strikebreaking by AFL and CIO unions, none of which had previously achieved any significant success in organizing leather workers and few of which had previously shown any interest in them. The raid-

ing unions included the UAW, the Clothing Workers, the Textile Workers, the Meat Cutters, and others. In addition, there were a number of "independent" secessionist movements organized by employers and actively abetted by the NLRB.

There were more than thirty such raids heavily financed by other unions. The central issue in each of these raids was that Ben Gold was an avowed Communist Party member. The NLRB took the position that it would treat noncomplying unions differently from unions that complied with Taft-Hartley. The usual NLRB rule was that a raiding union could not get an NLRB election during the life of a contract between a union and an employer: the contract was a bar to such an election. However, the NLRB now said, it would not allow a contract between an employer and a *noncomplying* union to bar a representation election. Further, the NLRB also now said, it would not allow the name of a noncomplying union to appear on the ballot or participate in the election. Therefore, the only way a IFLWU supporter could show support for the IFLWU was to vote "No" against the raiding union that was seeking to oust the IFLWU.

The raiding unions were rejected in all but one of the man elections held at IFLWU plants and tanneries. The raid in Gloversville, New York, was particularly significant because it came after the IFLWU workers had been on strike for six months, including a terrible winter. Nevertheless, the raiding AFL union received only 144 votes and the CIO Textile Workers 180, while 536 voted for neither. At the Hoffman-Stafford tannery in Chicago, an intensive four-month campaign by the Meat Cutters was defeated in an NLRB-conducted vote of 101 to 2. In Red Wing, Minnesota, a CIO raid at the Syfoote Tanning Company was defeated, 224 to 30. An AFL raid at the Armour Tannery in Williamsport, Pa., was defeated by a vote of 550 to 30. The Steelworkers were defeated at the Schwader plant in Ecorse, Michigan, by 11 to 1, and so it went.

### **Gold's Answer to the Conspiracy of Silence**

Despite these ongoing attacks on the IFLWU, Gold intensified the Union's activities in the struggle against the Cold War, McCarthyism, and reaction. In the face of what Justice William O. Douglas called the "conspiracy of silence" among liberals, Gold mobilized hundreds of fur veterans of World War II to hold a mock trial of Senator McCarthy before an overflow

meeting of 6000 people in the old St. Nicholas Arena in New York, representing the first important public challenge to McCarthy. On September 4, 1949, Gold helped lead 3,000 veterans who gathered to defend Paul Robeson at the famous open air concert he gave before 30,000 people in Peekskill, despite vigilante threats (carried out with the connivance of local police) that those attending the concert would be stoned. Despite the hysteria of the times, Gold organized demonstrations against the Korean War; he helped fight for the Rosenbergs, and in 1951 he joined in the unsuccessful struggle to prevent the execution of Willie McGee by Mississippi for an alleged rape of a white woman. He sent delegations throughout the country and abroad to fight for an end to the Cold War and for peace and detente.

These activities were carried on during a period of unparalleled fear and reaction which, the historian Samuel Eliot Morison said, no one who did not live through it can comprehend or even believe what happened.

The government intensified its attacks on IFLWU leaders on many fronts. The Immigration and Naturalization Service began to arrest union leaders for deportation—people who had lived in this country legally for decades [see section 68]. They were held on Ellis Island and denied bail. It was necessary to file habeas corpus petitions in federal district court, and sometimes we even had to appeal to federal courts of appeals just to get the leaders out of prison until their cases could be heard. The conditions for bail were extremely restrictive; they required the officers to make frequent trips to Ellis Island to report on their activities, and prevented them from leaving New York City, even on weekends.

### **Gold's Proposal to the Union: 1950**

Although the IFLWU administered many setbacks to the raiders, its status of noncompliance with the affidavit-filing requirements of Taft-Hartley was keeping it constantly on the defensive, draining its resources and energies, and preventing it from advancing the interests of its members.

The IFLWU's bi-annual convention followed by two weeks the Supreme Court's May 1950 decision in *American Communications Assn v Douds*, which upheld the membership and affiliation provisions of Section 9(h) [described in Section 38]. (The Justices divided equally on whether the "belief" and "sup-

port" provision was constitutional.) At this convention, Gold told the union that it had become necessary for the union to comply with Section 9(h). He therefore urged the union to vote to comply. He said that if it did so, he was undecided whether he would give up his membership in the Party or his office in the union.

The convention adopted Gold's recommendation and reelected him president. He asked for time to decide his course. He later resigned from the Party and on August 30 he filed his affidavit with the Board, simultaneously issuing a public statement in which he explained his action.

Gold's affidavit was studied by a New York federal grand jury advised by Roy M. Cohn, but it took no action. It did, however, issue a presentment which called upon the NLRB not to treat the IFLWU as in compliance until it had investigated the truthfulness of Gold's affidavit.

Federal Judge Edward Weinfeld promptly struck this presentment from the grand jury's report as improper and unlawful. Furthermore, the Chairman of the NLRB had previously testified before Congress that the statute did not give the Board any such power, that the Board would not be able to process its cases if it had to decide whether any of the 232,000 affidavits that had been filed with it were false, and that its only power and duty was to refer questionable affidavits to the Department of Justice.

Nevertheless, the Board quickly responded to this unlawful presentment by suspending the IFLWU's compliance status, pending its determination of the truth of Gold's affidavit.

The IFLWU went to court and won an injunction against the proposed NLRB investigation on the ground that the sanction against a false affidavit was to imprison the person who filed the affidavit, not to punish the union. This ruling was upheld by the federal court of appeals. *Fur & Leather Union v Herzog*, 110 F. Supp. 220 (DC DC); affirmed, sub nom. *Farmer v Fur & Leather Union*, 211 F 2d 36 (CA DC), certiorari denied 347 U.S. 943 (1954).

The matter was then referred to a District of Columbia grand jury, a majority of whose members were government employees. On the day before the statute of limitations ran out, this grand jury returned a three-count indictment charging that Gold had lied when he denied he was a member, affiliated with, or believed in and supported the Communist Party.

No other Section 9(h) prosecution ever included a count

based on the "belief and support" clause, probably because the Supreme Court had twice been unable to decide whether it was constitutional; the justices having split 3-3 and 4-4 in two cases in 1950 on this question.

After he received the government's bill of particulars on the indictment, Gold made clear in a letter to the union's executive board exactly how he felt about the prosecution.

I can be convicted of a false denial in only one of two ways: by getting paid, degenerate, lying stool-pigeons [who] can also say that they saw me shoot Abraham Lincoln or by creating a lynch atmosphere of red-baiting and witch-hunting in the courtroom in order to provoke, confuse and frighten a jury into bringing about the desired result.

They don't intend to try me for falsely signing the Taft-Hartley affidavit. They intend to try the *Daily Worker*; *Political Affairs*; *Selected Works of Lenin*; *Theory of the Proletarian Revolution*; *Foundations of Leninism*; *Constitution of the Communist Party*; *Thesis of the Third Communist International*; *Struggle against Revisionism*; *State and Revolution*; *Left Wing Communism, an Infantile Disorder*; *Communist Manifesto of Marx and Engels*....

Since they now show that they have no evidence to prove the indictment, they will try to entangle, involve and ensnare not only their victims, but also the jury, in a spider web of theoretical and philosophical thoughts. These were ideas and theories of men whose lives' works carved out for them a name in the history of civilized mankind which could never be digested by a jury particularly under such circumstances and especially in such a short period of time. Such profound works can be misinterpreted and misrepresented, falsified, vulgarized and distorted—all for the purpose of creating a hysterical atmosphere in the courtroom and making a frame-up stick.

## **Trial by Government Employees**

Gold's prediction turned out to be correct. During the ensuing six-week trial before Judge McLaughlin and a jury, the prosecution conceded that it had no direct evidence that, after his resignation, Gold had had any dealings or communications with the Communist Party or that he had done anything which in any way supported the Party in the advocacy of the violent overthrow of the government or any other illegal objectives or activities.

Instead the prosecution relied solely upon the opinion testimony of seven ex-Communist witnesses whom it offered as experts on Communist language, theory, and practice. Two of these witnesses had never met, seen, or talked to Gold; they

knew nothing about him. One of them, Benjamin Gitlow, had not seen Gold since 1929; another, not since 1931; another not since 1940. None had seen or talked to Gold or claimed to know anything about his alleged Party activities after he had signed the affidavit in 1950.

Instead, their testimony went into lurid detail about the 1920s and early 1930s. They testified that the curriculum in the Lenin Institute in Moscow, which Gold had attended in 1930-1931, included courses in the techniques of civil war, that during the 1926 strike Gold had gloated over rough treatment given to employers and scabs, and that in 1934 he had attended a Party convention at which Soviet slogans were shouted, and so forth. The prosecutor relied heavily on this testimony, saying to the jury:

Have you, ladies and gentlemen, any one of you heard anything during the hour and a half that defense counsel talked with you that explained away Mr. Gold's trip over to Moscow in 1930 and his stay over there until 1931?

Have you heard a word that explained away what General Yegeroff said: "When you go back to your country, you are going to the enemy"?

Have you heard him explain the lessons in map-reading, the lessons in gas masks, the lessons in explosives?

In addition, these witnesses testified that one could only be expelled, but could not resign from the Communist Party. This contention, of course, undercut the basis of the prevailing opinion of the Supreme Court in *A.C.A. v. Douds* that the 9(h) affidavit was not a bill of attainder because Party members could qualify for union office by the simple act of resigning their party membership at any time.

The witnesses also testified that, in their opinions, Gold's 1950 public resignation was a sham because his statement did not denounce the Party, and the *Daily Worker* had not denounced him. They said that his statement was actually a reaffirmation of his membership because to Communists "true democracy" and "democratically elected government" meant only the Soviet Union.

A number of impressive character witnesses testified for Gold, including Dr. W.E.B. DuBois. Union members told of the changes Gold had effected in the quality of their lives, and even representatives of employer associations testified to his integrity and credibility.

Five of the jurors who heard all this testimony were govern-

ment employees; one was the wife of a government employee. Toward the end of the trial, an FBI agent phoned and visited the homes of three of the sitting jurors to ask whether they were receiving communist propaganda.

At first the FBI office denied that this had occurred. Then an agent admitted the contacts but he claimed they had been accidentally made in connection with an unrelated but similar case, that of Hugh Bryson, the president of the Marine Cooks and Stewards Union, which was then pending.

After having been subjected to weeks of lurid testimony about Communism, two of the jurors were sufficiently frightened by the incident to ask to be excused. The court replaced them with alternates, without informing the remaining jurors that the incident was not based on any conduct of the defense, although press accounts of the incident had suggested otherwise.

### **Marcantonio Talks to the Jury**

Gold's trial counsel was former Congressman Vito Marcantonio, who was assisted by David Rein and myself. Working in such a close relationship with them was a very great privilege. Marc's summation was a brilliant and eloquent piece of forensic oratory that deserves to be studied and circulated, both as law and as literature.

But what is the truth about this May Day situation? You have heard it. These trade unionists have been marching on May Day year in and year out; whether the Communists march or whether the Communists didn't march was immaterial.

That witness Dobrin who was there on the stand. You got a laugh out of him. He sort of relieved the situation. The man who had the diploma from the Democratic Party. He told the truth. He made a very significant statement. He said if only Communists marched in that May Day parade it would be only a handful, and that is true. On the basis of J. Edgar Hoover's figures, the Communists all over the United States amounted to almost nothing at all. If they came in planes and trucks from all over the United States it wouldn't compare to the hundreds of thousands who participate in the May Day parade.

Everybody marches.... People who are opposed to each other march in the May day parade.

This parade, as far as this union was concerned, it was not a Communist Party activity; it was a union activity. The Fur Workers Union would march in the May Day parade even if the Republicans ran it....



To hate the Communist Party is your privilege. Time and events will pass judgment on a political party. But today or tomorrow when you retire you are to pass judgment on this defendant, not the Communist Party, but this defendant. And let the prosecutor rave and rail and tell you about the Lenin School and so on, and what is in these books. I say it is the defendant's conduct that counts.

And let him rail and rave against the Communist Party but I say it is Mr. Gold who is the defendant.

But I know in these days, days of hysteria, the same kind of hysteria by which lynchings are brought about, all you have got to do is wave some kind of an inflammatory doctrine, use a word here and there, raise a bogey, scare people, and justice is forgotten, and the base passions of men are let loose. Hysteria reigns. The innocent become guilty.

It is not the first time when hysteria has been used in our country against free men and innocent men. Ninety-eight years ago the greatest American who ever lived, Abraham Lincoln, said: "These are sad times, and seem out of joint. All seems dead, dead, dead; but the age is not dead; it liveth as surely as our Maker liveth."

And today, 98 years later, the son of an Italian immigrant, I repeat his words, and reaffirm in my conscience the faith that he then enunciated in that period of hysteria. I say that the age is not dead. I say it liveth. It liveth as surely as our Maker liveth, because I have faith in men, I have faith in mankind, and I do not believe that you as an integral part of the living flesh and blood of our citizenry will find a man guilty on suspicion, will find a man guilty on opinion.

I do not believe that you will discard the time-honored cornerstone of American justice that a man is innocent until he is proven guilty. . . . I do not believe that you will substitute for that doctrine of justice the word of the informer, the paid informer, and of the stoolpigeon; . . . not as to facts, if you please, but as to their opinion.

Yes, the age is not dead. It liveth as surely as our Maker liveth.

Yes, that age, our age will live, so that justice will live in these United States, and I have faith, in keeping with Lincoln's words, that you will perform it by giving to my client his good name back and his freedom which is today in jeopardy.

When Marc finished, the U.S. Attorney made his closing argument and the judge instructed the jury. The jury very speedily returned a verdict of guilty on the "membership" and "support" counts and of acquittal on the "affiliation" count. The verdict was no doubt accelerated by the FBI's intimidation of the jury.

In April 1954, Judge McLaughlin imposed concurrent sentences on Gold of one to three years on each count. Over the objection of the prosecutor, he also continued Gold on his same



bail pending appeal, holding that the case presented substantial issues of law and of fact.

### Attacking the Lawyer and the Union

As soon as Gold was sentenced, the Department of Justice made a dazzling use of the "stop thief" ploy. It moved to punish me for contempt because I had made a post-indictment inquiry into the effect of the "loyalty-security" program upon the ability of federal employees to serve as grand jurors in such a case. The District Court found me guilty and fined me \$100.

Upon appeal, the Supreme Court found nothing wrong with what I had done. Instead I was immortalized in an important opinion by Justice Black that attorneys are not "officers of the court" within the meaning of the summary contempt statute because their independence is necessary to the effective administration of justice. *Cammer v United States*, 350 U.S. 399 (1955).

Shortly after the trial, Marcantonio suffered a fatal heart attack on a sidewalk near New York's City Hall during a heavy rain. His death at 52 was a terrible loss to the American people he served so well.

Ben Gold's conviction triggered a fresh wave of attacks not only against the union, but against its officers and members. A special legislative committee was established to investigate the New England Leather Workers. Walt Rostow, then of Massachusetts Institute of Technology and later President Johnson's leading hawk on Vietnam, appeared as the principal witness on the "menace" that the union represented to the Commonwealth. Under pressure of the local church, radio, and press, the leading officers of the New England locals felt compelled to say that they had been misled and to organize a secession movement. These officers included Richard B. O'Keefe who, at the 1948 IFLWU convention, had joined in the vote against compliance with the Taft-Hartley oath and had said on the convention floor: "I think that we have the best, fightingest, progressive, democratic union in the country. The membership of Local 21 and New England think and holler as loudly as they can that our union is the best in the country."

The Texas Attorney General also instituted IFLWU prosecutions under that state's new criminal syndicalism law. Loyalty and security proceedings against children of members began to include specifications of disloyalty based on the par-

ent's membership in the IFLWU, and so on.

Because of these developments, Gold's continued functioning as president of the union became untenable and he resigned a few months later. Soon thereafter Gold withdrew from all union activity and quietly retired to Florida without even a pension.

## Appeals and Mergers 1955-1957

We appealed Ben Gold's conviction to a three-judge panel of the District of Columbia Court of Appeals. After many months, they ordered the case re-heard before the full bench of that court. The judges affirmed the conviction by an evenly divided vote (4-4). Only Judge Bazelon gave a statement of his vote and of his reasons in a long opinion for acquittal. *Gold v. United States*, 237 F. 2d 764 (1956).

We promptly filed a petition for certiorari in the United States Supreme Court, asking the highest court to hear this case. This was not a foregone conclusion. The Court was refusing to hear many similar cases at this time. Yet, on Oct. 8 1956, the Supreme Court agreed to hear Gold's case. And in December, 1956, the Court finally ordered the NLRB to stop its decompliance shenanigans against the IFLWU. (The Board had renewed this effort after the indictment and again after the conviction.) *IFLWU v. Farmer*, 117 F. Supp. 35 (DC DC) (post-indictment); *Farmer v. IFLWU*, 221 F. 2d 862 (CA DC); *Amalgamated Meat Cutters v. NLRB*, 352 U.S. 153 (1956), reversing 226 F. 2d 194 (6th Cir.) (post-conviction).

After agreeing to hear *Gold v. United States*, the Court declined to hear the appeal of Hugh Bryson, president of Marine Cooks and Stewards, convicted on a similar T-H charge. What did this mean?

We found out early in 1957. The Court treated Gold's case like a very hot potato. Joseph Forer and I shared the argument of the appeal, which was heard on a Thursday. With virtually unprecedented speed, the Court, the Monday immediately following, (Jan. 28, 1957) reversed the conviction without opinion, ordering a new trial on the single ground of the FBI's "intrusion into the privacy of the jury." 352 U.S. 985 (1957).

Justice Tom Clark dissented the majority because he had failed to address the many other serious constitutional and due process issues which the defense had raised. A few weeks later, the government quietly announced that it was dropping the

prosecution! *New York Times*, May 10, 1957. What a victory!

In 1959, Congress repealed Section 9(h) and replaced it with a flat prohibition of Communist Party members from holding union office. Archie Brown of the International Longshoremen's and Warehousemen's Union challenged the new law. He said it was a bill of attainder [see the outcome in section 84].

## Rejoining the AFL-CIO

On Gold's departure, Patrick E. Gorman, secretary-treasurer of the Amalgamated Meat Cutters, invited what was left of the IFLWU to become the Fur and Leather Department of the Amalgamated. Gorman was an old socialist and a militant union leader all his long life. George Meany, then president of the AFL, threatened to expel the Amalgamated if the merger should occur without adequate guarantees that the IFLWU had been thoroughly "de-Communized." In due course, Meany became satisfied that the requisite political purity had been achieved, and the merger took place. According to *The Picket and Pen: The Pat Gorman Story* by Hilton E. Hanna and Joseph Belsky:

Rarely in labor history has a campaign of consolidation been fought with such sectional bitterness, partisanship, and elegiac-like resignation, as at the special constitutional convention of the Fur and Leather Workers in Atlantic City, January 20, 1955. There, amidst the intense excitement of the session, many of the delegates refused, for reasons of discontent or sentimental attachment, to face the sad, but fitting music of the requiem, symbolizing the dissolution of their beloved International Fur and Leather Workers Union....

It was a bitter session, more bitter than the final vote of 292 to 18 would indicate.

Until his death in 1980, Pat Gorman liked to say the IFLWU merger with the Butchers was one of his greatest accomplishments because, while it benefitted the members of the IFLWU, it enriched the Butchers even more. The IFLWU staff was quickly integrated into important positions in the Amalgamated, where they rapidly took on leadership responsibilities in organizing, on civil rights issues, and in the struggle for peace and against the Vietnam war. With the merger, the Amalgamated began an unprecedented rapid expansion of membership and influence until its merger in 1979 with the Retail Clerks to form the United Food and Commercial Workers International Union, the largest in the AFL-CIO.

## 51 ♦♦ A UNION PRESIDENT TAKES HIS STAND

♦♦ Ben Gold ♦♦

*For author and source note, see section 27.*

*The following excerpt from Ben Gold's Memoirs is reprinted with permission.*

Taft-Hartley worked in many ways. In 1948, the House Committee on Education and Labor decided to conduct a thorough investigation into the activities of the Fur and Leather Workers Union. The newspapers daily printed stories, for the whole world to know, of fur manufacturers who had come before the Committee to tell of the terrible suffering the Communist union had caused them. Then there were the other tales: Ben Gold was the dictator in the union; Ben Gold controlled the election of union officials; the right-wing workers were being driven out of the union; the veterans who had returned from the war were not being taken back into the union and were prohibited from working in union shops, etc., etc.

Something interesting: a few somewhat decent fur manufacturers told the Committee that they had no cause for complaint against the union leaders. True, they fought for the interests of the workers, but that was the duty of any honest union leader. These decent bosses told the Committee that they had been able to settle their labor-management problems with these union leaders in a peaceful manner, without any difficulties. True, they were paying their workers higher wages, but the workers earned their wages honestly.

Over 700 World War II veterans sent a telegram to the

Congressional Committee saying in effect: When we returned from the war, the union welcomed us back as heroes, helped us find jobs. We became active in the union, and a few of us were elected to important rank-and-file union committees. The bosses are telling lies when they say the union did not let war veterans into the shops.

At the end, the Committee invited 15 union leaders to testify. They questioned each one separately, and the answers they received to their questions baffled them. First, they called the older union officials in to be questioned—those on their list well-known as right-wingers and anti-Communists. From them, the Committee expected the necessary information they wished to get. But the right-wing union officials, members of the General Executive Board of the International Union, told the Committee that the union was a democratic workers' organization in the fullest sense of the word. Right-wingers, left-wingers, Communists and anti-Communists led the union like a large, unified family. There was free speech, and the elections were honest, being carefully checked and supervised. No important decision by the leadership was carried out without the affirmation of the union membership, etc., etc.

Then the Committee called the leaders on their list known as left-wingers and Communists. They asked pointed questions, and the answers they got from the officials did not provide them with any special pleasure. I remember one answer given by a business agent particularly clearly. The young union official answered the questions put to him by the Congressmen clearly and to the point in his usual quiet and modest way.

Then the reactionary Congressman Wingate Lucas (D-Tex) jumped on him with the question: Are you a member of the Communist Party?

The union business agent took a packet of the medals he had earned in the war from his pocket and spread them out on the table near which the Congressmen were seated. "This, honorable Congressmen, is my answer to your question," he said in effect.

The Congressmen were struck dumb. They didn't ask him any more questions.

I am myself a member of an oppressed people. My people, the Negro people, have been victimized and discriminated against in the most undemocratic fashion, in industry, in agriculture, in political affairs and in the civic and social life of their communities, North and South. I have felt the abominable abuses of Jim Crow and the dread of the horrors of lynchings. As a Negro, I know the full meaning of the word democracy, because I have felt its absence and violation.

♦♦Lyndon Henry, Organizer, Fancy Fur Dyers Local 88♦♦

## How Do You Testify Before a Congressional Committee?

*Excerpts from verbatim testimony, "Investigation of Communist Infiltration into the Fur Industry," pp. 305-35, Hearings before a Special Subcommittee of the Committee on Education and Labor, House of Representatives, 80th Congress, 2d Session, September 8-16, 1948.*

There were statements made about violence in our union. Let me briefly state some of the facts to you. There were five general strikes in the New York area in the manufacturing industry. The first strike took place in 1912. I participated in that strike ... [T]here were no Communists and no Communist Party in existence in this country or any other country ... So that strike in 1912 had nothing to do with communism or left-wingism. It broke out in the industry because the employers refused to recognize the union. There was violence every day during that strike, and it lasted 12 or 15 weeks. The violence occurred because the employers had hired gangsters to beat up the pickets and break the strike.... We did not want that strike.

*Editors' note: Gold went on to describe similar circumstances for the general strikes of 1920, 1926, 1938, and 1948.*

And something happened in our industry. [At a certain point,] the worst kind of a racket was organized between the employers and two gunmen very well known to the Government—Lepke and Gurrah. Some of the representatives of the union had to do with the fighting by these gunmen; so did some of the employers, against their own rights. One of my organizers, Morris Linger, was killed in cold blood—bombed. Another ... worker named Kover was killed in union headquarters. One of the gunmen was killed in the headquarters; by their wild shooting, they slaughtered, maimed, and wounded managers, as today the records of the court will show.

**Mr. Schwabe:** Do you think they were Communists?

**Mr. Gold:** They were gunmen; they were racketeers.... It was the Communists who fought against that....

**Mr. Schwabe:** It has been charged here a number of times by various witnesses, or at least it has been said, rather, that your union is dominated by members of the Communist Party: is that true?

**Mr. Gold:** My union is dominated by union agreement. The Communist Party does not dominate it, and my union is not being dominated by any party.... My union policy is determined by the convention, the general policy. The general executive board is authorized and instructed to carry out this policy, and we come to a convention and we have to account on did we carry out that policy, and the decision of the convention is referred to each and every local union. If the locals defeat the decision of the convention then we may even call another convention and decide in accordance with the desires and wishes of the workers.... We have individual criticism of officials or union policy and then act on the basis of majority of vote....

**Mr. Schwabe:** The gentlemen makes no effort, then, to suppress communistic activities in his union? ...

**Mr. Gold:** What do you call communistic activities, Congressman?

**Mr. Schwabe:** Well, the saying among different workers, one to another that communism is a good thing.

**Mr. Gold:** I have no spy system to listen to find out whether one tells the other that communism is good or not. Do you think I have a gestapo to find that out in case he does? In my union I should say a worker has a right to talk to others if he wants to. This is a free country....

**Mr. Lucas:** Why do the Communists make good union leaders?

**Mr. Gold:** If they are capable and experienced, because they are constant supporters for democracy; because the Communists love their country, speaking of America, our country and our free, democratic institutions; because they have principles; because they continue in the same footsteps as our forefathers, and we have the same principles that made America what it is today—not today, but what it is.

**Mr. Schwabe:** You are saying that an official of a union can be a member of the Communist Party and at the same time be a good, loyal American citizen; is that what you are saying?

**Mr. Gold:** May I ask to have the question again? It is a very fine question. I would like it to be repeated.

**Mr. Schwabe:** You are saying, then, I take it, that a member



of the union, a union official, can be also a member of the Communist Party and still be a good, loyal, patriotic American citizen?

**Mr. Gold:** My knowledge and experience is that a good Communist is an excellent union member and an excellent patriot; otherwise, he is not a good Communist.... I am going to report to the members of my union about the investigation, which is my duty. I would appreciate it if both of you Congressmen and Mr. Graham would come to that rally. That is a big rally of workers. Frankly, I am going to tell them my opinion, my impressions about this investigation. Certainly, gentlemen.... This is supposed to be an impartial investigation, Congressman Lucas....

**Mr. Lucas:** Did you, sir, approve the printing and distribution of this publication which I hand you [handing paper to witness]?

**Mr. Gold:** This circular, ... there is a signature on there—is from the Furriers Joint Council of New York....

**Mr. Lucas:** Well, you are international president, and the council is below you; is not that right?

**Mr. Gold:** It is not below me; it is part of the organization.

**Mr. Lucas:** Now, this has some very interesting statements written down here. It says:

Let's see what they are saying about our union. Are they telling the truth about the union? Are they lying about our union? Are they slandering the fur workers? Are they preaching anti-Semitism?

Let us go into that. Have you or has your counsel advised you this committee is preaching anti-Semitism? ...

**Mr. Gold:** What is the purpose of this, Congressman Lucas—to ask are these workers foreigners; are they foreign-born; were they ever Communists, and so forth? ... Some of the manufacturers, I think they are Jewish workers that fled tyranny. They don't like despotism. The Jewish workers are very sensitive. I do not say you are anti-Semitic; I don't say that; but I am attacked—

**Mr. Lucas:** Answer the question. Why did you say here that we are preaching anti-Semitism? Answer the question.

**Mr. Gold:** They did not say; they ask if you do....

**Mr. Lucas:** Now, Mr. Gold, how many of your international officers, to your knowledge, are Communists?

**Mr. Gold:** Congressman Lucas, even if I would know I would not tell you. I am not a stool pigeon; I am an American.

**Mr. Lucas:** It does not make you a stool pigeon to answer what the political affiliation of another man is, if you can. I can tell you that Mr. Schwabe is a Republican, and I am not being a stool pigeon.

**Mr. Gold:** I was in these last 2 years attacked, and then the Taft-Hartley law is passed that Communist leaders are outside the law and tells the workers "You can't vote Communist." Then the Thomas-Rankin committee and then your committee asks "Are you a Communist?" and Communists are thrown out of the shops. Do you call this intimidation or an investigation?

**Mr. Lucas:** I call it an investigation. What do you call it?

**Mr. Gold:** It is not democratic; it is against every conception of Americanism. . . .

**Mr. Lucas:** Do you know if Mr. F. Bertolini is a Communist?

**Mr. Gold:** I never ask any member of my union or officer what party he belongs to or what religion he belongs to.

**Mr. Lucas:** Will your answer be the same to the same question about Mr. F. Brownstone?

**Mr. Gold:** The same answer.

*Editors' note: And finally after many, many questions, the main question was asked:*

**Mr. Lucas:** Then you can answer about yourself?

**Mr. Gold:** You bet I can.

**Mr. Lucas:** I think it is only proper, since we have inquired of other witnesses, to ask. Are you a Communist?

**Mr. Gold:** Congressman, in every civilized and democratic country, the Communist Party is a legal party; only in Nazi countries it is not a legal party.

**Mr. Lucas:** So, therefore, my question is a legal question.

**Mr. Gold:** Therefore, I think it is an infringement upon the democratic right of every citizen to ask him those kind of ques-

tions. You asked my opinion of Communists; so I give it to you; but when you ask me whether I am a Communist, why should I give it to you?

**Mr. Lucas:** Is it against the law to be a Communist?

**Mr. Gold:** If it is not against the law to be a Communist, why ask me what I am? Another committee tomorrow may ask me whether I am a Jew or Catholic; the day after tomorrow the Democrats may be in the same frying pan and ask me if I am a Democrat. This country has some basic, precious principles that we can [not] violate.

**Mr. Lucas:** All right. Did you, in November 1932, run for justice of the supreme court of the first judicial district of New York on the Communist Party ticket?

**Mr. Gold:** I did not answer you whether I am or am not. I do not think you are entitled to it. But my political affiliations are a matter of public knowledge. I never hide them. My members know it; the CIO knows it.

**Mr. Lucas:** Then why don't you tell us?

**Mr. Gold:** I only protest against this because you are violating the Constitution and the most precious principle of democracy in our country. . . . I can answer that, in spite of the fact I object to it. . . . I will tell you I am a member of the Communist Party for a quarter of a century. Everybody knows that. . . . I have never denied it, and I will never deny my principles, my affiliations, my philosophy. I take Americanism seriously, Congressman Lucas, and will fight to the death for this democratic country and its free institutions. . . .

**Mr. Schwabe:** I think the committee is fortunate in having a very intelligent, forthright witness. I would like to ask just one question.

It has been said over and over in this country that the objective of the American Communists—and the gentleman should be able to answer—is to overthrow our form of government. Is that true or not?

**Mr. Gold:** I answer you that with me the Communists want peace; that the Communists will fight to the death against any Fascist conspiracy to overthrow the United States democratically elected Government.





## Return to the Trade

I was working in a fur shop. My hands, which for thirty years had not cut even a single fur coat, knew that I had to make a living. They quickly regained their old skill.

Thirty years before, I had worked 44 hours a week, eight hours a day, and four hours on Saturday. Now I worked seven hours a day, five days a week. The wages for 35 hours had been raised quite a bit.

True, the workers now produced better and even a little more in the seven hours than in the eight hours before. But the profits of the manufacturers kept on growing.

The seven hours a day of work in the shop was like a game compared to the long hours I had spent each day doing the highly responsible, difficult and intense work of the union.

♦♦ Carl Morgen ♦♦

**In the summer of 1946, CIO President Philip Murray proposed to strengthen the California CIO by splitting it into a northern and a southern region. Murray's proposal meant abolishing the Office of Regional Director, a post held by ILWU President Harry Bridges.**

Luisa Moreno, a state CIO Vice-president and the Regional Director of the Food, Tobacco and Agricultural Workers Union, immediately called for the support of one region and of Director Bridges. The California CIO Executive Board adopted her position.<sup>1</sup>

Luisa Moreno entered the United States legally from Guatemala in 1928, and her daughter was born in this country. She became active in organizing agricultural and tobacco workers into unions on the East Coast and, after organizing in California for seven years, Moreno was elected a national

officer of the Food, Tobacco & Agricultural Workers Union. During World War II she was praised for her contribution to the national food production effort. She reported that "although most of our members . . . are of Anglo-Saxon stock . . . for the first time workers from different sides of the tracks are meeting together and attending the same social affairs. The barrier between the groups is breaking down.

»2

After the war, Luisa Moreno married a U.S. combat veteran, and welcomed a granddaughter into her family. But when this popular union leader applied for U.S. citizenship, the government blocked her application.

The majority of California CIO locals wired protests to Murray's office against dumping Bridges.<sup>3</sup> Murray did not heed the protests from California.

In January 1947, Moreno resigned from the California CIO Executive Board to work for the national office of FTA. In a rare tribute, President Zusman and Secretary Rathborne "expressed appreciation for the valuable contribution by Sister Moreno to the work of the State Council . . . ." In February, her resignation from the California Council was accepted with regret. A California CIO unity resolution warned:

There are forces who urge us to substitute for the principle of unity and democracy within our ranks, divisions, witch hunts and purges.... The membership controls the CIO and will continue to defeat every effort to bring it under the domination of any group—political, religious, fraternal or any other. This convention of CIO unions in California repudiates and condemns any effort to divide our ranks ... and reaffirms the high principle of the CIO to organize workers on an industrial basis, assuring rank and file control, and without any discrimination of any kind.<sup>5</sup>

CIO President Murray spoke out for autonomy at the 1947 CIO convention in no uncertain terms, and again at the UAW convention in 1947, saying: "I hope the day never comes in the history of the CIO when it shall take upon itself the power to dictate . . . by policy methods . . . that run counter to the very principles of true democracy."<sup>6</sup> Yet in January 1948, that day did come. President Murray and the National CIO Executive Board ordered that all affiliates comply with its decision and



support the candidate it selected for president of the United States.

The California CIO Executive Board declared:

We are now confronted with a demand that various international unions . . . become rubber stamps for a handful of top CIO leaders. . . . Even the reactionary AFL has never dared to violate the autonomy of their component unions. This split threatens the CIO with destruction, particularly since the employers' offensive against the unions is being intensified.<sup>7</sup>

With the approach of the 1948 presidential election, Bridges proposed a rank-and-file referendum to determine whom California CIO members wished to support. The state's Independent Progressive Party, labor's third political party, had selected Henry Wallace as its candidate to run against Truman and the Republican. [See section 34.]

The National CIO Executive Board rejected Bridges' proposal.<sup>8</sup>

In March 1948, national CIO leader John Brophy told the California CIO to actively oppose any third party and support the Marshall Plan because all CIO labor bodies are subsidiaries of the national CIO and therefore must carry out its orders.<sup>9</sup>

A majority of California CIO members welcomed a third party movement "as a weapon in fighting those who saddled the people with the Taft-Hartley Act . . . and a bipartisan war policy" on the foreign front. So the California CIO Council refused to comply with Brophy's order to oppose "any third party in 1948."<sup>10</sup>

Unions representing 40% of the CIO membership in California left the state CIO Council over the autonomy issue. Most members of the California CIO Executive Board believed that the CIO national leaders were determined to "root out autonomy and destroy the basic democratic principles on which the CIO was founded."<sup>11</sup> They formed a "unity committee" to meet with the CIO National Director of Organization and resolve the issue of those locals that had disaffiliated.

The CIO National Director never met with the California CIO "unity committee" but he did implement the reorganization of the Los Angeles CIO Council into the "Greater Los Angeles CIO Council," and urged a boycott of the California CIO 1948 convention.

The California Executive Board reported to the 12th and

last CIO convention, "The sole intent of the agreement [to reorganize the L.A. Council] was to hand the L.A. Council . . . to the national CIO and to those elements in the Los Angeles area who have long opposed the L.A. and state councils."<sup>12</sup>

The 1948 National CIO convention stated that those unions which refused to follow national policy were "through Communist domination serving the purposes of Soviet foreign policy."<sup>13</sup> But at that same convention, a Justice of the United States Supreme Court told the delegates to have faith in "the American way that builds a classless society without exploitation of any group." William O. Douglas, the first Supreme Court justice to address a labor convention, attacked the concept of classes, saying "the idea of class is foreign to us in this country." He urged the joint responsibility of labor and management "to see that the modern industrial plant serves the needs of the public."

## DEPORTEE

In 1948, in this climate of confusion, fear and hysteria, Luisa Moreno was ordered to testify before the California State Tenney Un-American Activities Committee in San Diego. She refused to testify against her union and challenged the state committee's right to inquire into her political beliefs. Soon after the hearings, the U.S. government issued a warrant for her deportation to Guatemala.

She responded: "They can talk about deporting me; but they can never deport the people I've worked with and with whom things were accomplished for the benefit of hundreds of thousands of workers ... things that can never be destroyed."

The California CIO mounted a letter-writing campaign to defend Moreno.

In 1949, Immigration agents invited her to testify against ILWU leader Harry Bridges, himself on trial again for criminal charges arising out of his finally having become a U.S. citizen. Again she refused to become a "free woman with a mortgaged soul."

The national leaders of FTA noted that the U.S. Immigration Service had blocked the attempts of Luisa Moreno to

become a U.S. citizen “because of her militant leadership” and now they were trying to punish Sister Moreno for her contributions to the labor movement and the fight for the full citizenship of minorities.

Moreno was to appear for a "private hearing" before the U.S. Immigration Service in Los Angeles on August 25, 1949. But the tides of repression and intolerance were too strong. She left the U.S. before the government formally deported her.<sup>14</sup>

After Luisa Moreno's deportation, the Greater L.A. CIO Council adopted a new constitution with a provision for preserving autonomy, but it abolished secret ballots in council elections. It banned minority reports and resolutions from the floor. The regional directors handpicked standing committees; they were no longer elected by council delegates. And a clause was written into the constitution banning support for any organization, newspaper or candidate deemed "subversive" by the officers.<sup>15</sup>

On January 25, 1950, CIO President Murray, labelling the California CIO Council a “Communist Party front,” revoked its affiliation to the national CIO. Later in 1950, the national CIO leadership expelled Moreno’s FTA, Bridges’s ILWU, and nine other international unions [see section 37].

## Militant Local Leadership

Local 576 of the United Furniture Workers of America CIO, ILWU Local 26, and UE Local 1421 were three of the most active locals in the L.A. CIO Council. They participated in every aspect of the Council's life—and death.

Led by Ernest Marsh, Frank Lopez, Manuel Garcia and Oscar Castro, AFL upholsterers and furniture workers organized Local 576 in Los Angeles in 1938. About half its members were of Mexican descent, the rest were mainly Jewish and black workers.<sup>16</sup> The membership grew rapidly; its militancy also grew. During World War II, union officer Armando Davila served on the Los Angeles CIO Executive Board and on the California CIO Minorities Committee with Luisa Moreno (FTA) and others. In 1943, he and Bert Corona, president of ILWU Local 26, condemned the Sinarquista Union, an anti-

U.S., anti-union hate group linked with international fascism.<sup>17</sup>

While the others continued working in the Furniture Workers, after the war, Frank Lopez participated in one of the bloodiest strikes in Los Angeles at U.S. Motors. UE Local 1421 had won the representation election in 1945 and when contract negotiations stalled, the workers struck spontaneously.

Massive picketlines of unionists and uniformed veterans, marching along Slauson Avenue, met tear-gas and clubs. L.A. CIO leaders, including "Slim" Connelly, Jim Daugherty from the Utility Workers, and Jess Armenta from ILWU Local 26, were gassed, arrested and fined \$500 each for violating a judge's anti-picketing order.

The mass turn-out by Mexican American unionists to picket and organize, in response to the call by the L.A. Council and strike committee, brought more Hispanics into unions and union leadership, joining Local 1421 leaders Lopez, Rosendo Rivera and Joe Marty, who represented Anglos and Hispanics working in sheetmetal shops like Dura Steel and in machine shops and record companies.

Armando Davia, representing the Furniture Workers local, supported the world peace movement after World War II, opposed the Marshall Plan, and endorsed the Wallace third party campaign in 1948, with business agents Gus Brown and Oscar Castro, Bruno Cano, and others.<sup>18</sup> Castro and Brown insisted on super-seniority for minorities and women in the 1945, 1946 and 1947 master contracts. They lost. But they did convince several employers not to fire the recently-hired black workers.

By this time Local 576 had 3,000 members. Castro was a member of the Los Angeles CIO Executive Board 1946-48, and the L.A. CIO Minorities Committee, staunchly defending the local's autonomy and fighting all attempts at dissolving the "red local." Since 1946 wages had increased 63 cents an hour on the average and the workers had gained paid vacations and paid holidays along with life, health and hospitalization insurance.<sup>19</sup>

Nonetheless, Eppy Galvan, one of the Mexican leaders in the local, led several attempts to destroy the "Reds," and even urged the workers to join the AFL, but that fizzled out. When the Furniture Workers International chartered a dual local (#1010), "the absence of Mexicans and blacks on the new executive board was striking," as organizers Eppy Galvan and Lee

Hernandez held the only paid positions.

The executive board of Local 576 promptly recommended expelling Galvan for aiding the employer and dual unionism, and over 600 workers voted for the first expulsion in the local's history. Local 576 was bitterly divided over the issues of local autonomy and noncompliance with Taft-Hartley. Local 576 leaders Oscar Castro, Gus Brown, and Armando Davila fought hard for autonomy and against compliance.

At this point, the Immigration Service conveniently arrested Davila for deportation based on his political beliefs. The Local executive board voted to contact the Civil Rights Congress to defend his case.<sup>20</sup> By July 1949 the local membership voted two to one to recommend that the executive board "comply if it becomes necessary because of raids by AFL or CIO unions," and the fight to keep Davila in this country was lost. He was deported to Mexico in the early 1950s.

This led some shops in Local 576 to try to disaffiliate.

The president of the new Greater L.A. CIO Council used the Taft-Hartley Act to invalidate Local 576 contracts and brought in the Textile Workers Union to take over. Local 576 continued after 1950 as an independent union, although it lost over half its contracts and membership. Those who stuck with Local 576 maintained the best wage scales nationally in the industry until the local's demise. The new dual Local 1010, meanwhile, suffered internal dissension, lost more than half its membership, and proved unable to protect wages or working conditions.

One clear result of anti-Communism in the United Furniture Workers was the decline of industrial unionism in the Los Angeles furniture industry.

## NOTES

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3. *Labor Herald*, July 19, 1946.
4. California CIO Executive Board Report, Jan. 21-23, 1947, p. 34.
5. California CIO Executive Board Report, Feb. 21-23, 1947, p. 62.
6. California CIO Executive Board Report, Oct. 14-16, 1949, p. 12.
7. *Ibid.*
8. ILWU Local 6 press release, Jan. 23, 1948, in ILWU Library.
9. See discussion in section 34.

10. California CIO Statement, Apr. 12, 1948, pp. 1-3,
11. *Op. cit.* note 6, at p. 6.
12. *Ibid.*, p. 9.
13. Richard O. Boyer and Herbert M. Morais, "Labor's Untold Story" p. 358 (Cameron Associates 1955).
14. Labor Committee for Luisa Moreno Bemis, "The Case of Luisa Morena Bemis," n.d., in pamphlet; Josefina Fierro interview with author July 26, 1982; *Labor Herald*, Southern California edition, Aug. 9, 1949, p. 7, and Aug. 23, 1949.
15. California CIO Executive Board Report, Oct. 14-16, 1949, p. 9.
16. Material in this section is based on Luis Leobardo Arroyo, "Industrial Unionism and the Los Angeles Furniture Industry 1918-54," unpublished UCLA Ph.D. thesis 1979, pp. 132-33, 146, 190, 234-38, 244, 255, 259, 272-73, 289-90.
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## 53 ♦♦ NMU EXPULSIONS AND COAST GUARD SCREENING

♦♦ Bob Martin ♦♦

*For author note, see section 20.*

The progressive leadership among the maritime unions established a strong united front against the shipowners in 1946 in the Committee for Maritime Unity (CMU). We also had the support of the World Federation of Trade Unions in most ports around the world.

The shipowners forced us out on strike on September 13, 1946, but with the unity we had established, we effectively tied up the ships, and in just eight days the shipowners settled. We gained good wage increases and a 48 hour week. This was a big victory for the NMU, the CMU, and all the workers.

NMU president Joe Curran was not happy working with militant leadership like Harry Bridges, ILWU president.

The shipowners and the United States government also saw how this kind of unity would benefit the maritime unions and all other unions. They knew Joe Curran was the weak link, and went to work on him with the church, FBI, and all kinds of stoolpigeons.

At this time, the organizing drives were dropped. I shipped out of New Orleans on a United Fruit Company ship, the Comayagua, on December 27, 1946, and was on that ship until February 17, 1947. I stayed on the beach for a couple of months and shipped out on the Quirigua, another United Fruit Com-

pany ship. I stayed on there until August 13, 1947.

It was pretty well known and understood by the leadership in the union at that time that the FBI and the church and these kinds of people were putting the pressure on Curran. Curran felt that in order to keep his job, he was more secure going along with the FBI and those forces and breaking with the progressive forces. And that's what he did.

Ferdinand Smith, Secretary of the NMU, was a Jamaican. Suddenly he was questioned about his citizenship and this was somehow used as a means to keep him from running in the next union election, because he was not a citizen of the U.S.A.

**FERDINAND SMITH**

At the 1947 NMU convention, Smith told the delegates that the anti-Communist cry was a witch-hunting tactic and that the Taft-Hartley bill had to be defeated. He fought vigorously to integrate blacks and whites aboard ship.

Ferdy fought for the Progressive Party under the leadership of Henry Wallace. He opposed military training and its thrust toward war. He fought against the manufacture and stockpiling of atomic weapons. He was a man with a breadth of vision and as a black man he fought for nondiscrimination because of race, creed, color, or political beliefs. He was expelled from the union, and deported to the West Indies, where he died.

Ferdy was a casualty of the McCarthy period and he was my very dear friend.

♦♦Tuz Mende, UOPWA-CIO

## Preparing for the 1947 NMU Convention

Blackie Meyers, the vice president who was one of the best rank-and-file leaders in the NMU, was also blocked from running for reelection. In our constitution and bylaws, it said that your dues had to be in good standing at least for one year before you could run for election. Although Blackie had been an official of the Union since the start of the NMU in 1936,



when he went to file for his reelection, they found that there was a month there that his dues were not paid up. The secretary had not handed in the dues. Whether this was a plot or a mistake by the secretary, who knows? Blackie never actually blamed the secretary, although he had proof that that was the way he had always paid his dues. They used that as a basis to keep him from running.

So it just went from one thing to another. Curran started to red bait Harry Bridges in the Committee for Maritime Unity, and he pulled out the NMU on December 27, 1946.

I got elected to the next 1947 convention from the Quirigua, but there was a feeling among a lot of our people that everybody should not leave at that time and go to the convention, because they thought the phonies were going to take over the port once we all left to go to the convention. I had the alternate elected on the ship with me, so he went and I stayed in the port in New Orleans.

That's when Bill McCarthy came down to take over after R. J. Sullivan, who was the port agent, retired or quit. Bill McCarthy was a pretty well known Communist. He was an official of the union, called a field patrolman. They could be sent to any port where needed. There was an opening in New Orleans and he was in line to be sent and was sent.

Bill came down, and the first thing he told the membership was that anybody there that had any ideas about whether or not he was a Communist, he wanted to set the record straight. The news reporters and many phonies were running around getting proof that Bill McCarthy was a Red—so Bill beat them to the punch. He said he was the biggest damn Red in New York. He said, "I've been a Communist for many years, and will continue being one. So now let's get down to union business."

The 1947 convention was really the beginning of the end of the National Maritime Union as we knew it. At the convention, the Curran forces more or less took over, but they had help from the FBI, stoolpigeons, and all kinds of forces that they brought in. The 1947 convention lasted 24 days, whereas previous conventions lasted only 5 days. I wasn't there, but from the reports that I got, I know it was not a democratic convention. At the heart of the matter was the struggle over compliance with Taft-Hartley. We were trying to get the membership to vote against complying with the Taft-Hartley Act by not signing affidavits.

They hit the membership with a story: "If we don't have the

signed affidavits, we can't utilize the National Labor Relations Board, and any other union can file for an election on the NMU ships, and we won't even be able to get on the ballot because our officials haven't signed the affidavit."

We tried to tell the membership: "The strength of our Union applies right here with us. If we get the ships, then nobody can take over the contract. We are going to stick together and fight for it."

The membership felt that their jobs were being jeopardized. They voted for the past leadership election after election, but they were just afraid of losing their union, losing their jobs, and with all the redbaiting and McCarthy period coming on, they wouldn't fight.

Most of the CIO unions also went the same route. That's when they began to comply by signing the Taft-Hartley Oaths.

### **The First Time I Was Brought on Charges**

The first time I was brought on charges was in 1947 while I was on the Quirigua. The charges were not made by the crew, but the phoney union officials in the port of New Orleans.

When our ship docked, some friends came down to the ship to warn me. The patrolman came down and told me that the trial committee was already sitting in the Union hall awaiting my arrival. I called a meeting on board the ship, and got 90 some crewmembers to join me.

We then started marching down to the Union hall, and some of the guys had picked up these dry banana stalks that are as hard as oak.

When we got to the hall, we marched upstairs where the trial committee was sitting. I sat down, and all the guys came around the table. I said, "Well, what's the charge?"

I don't even remember what the charges were, some phoney charges.

One of my shipmates hits the table with the banana stalk, and he said, "That's a damn lie. I know better than that." He then explained some reason why he knew better.

So one of those phonies on the trial committee went on to say something else.

Another seaman hit his chair with another banana stalk and upset the chair.

So they said, "The hell with this," and they ran out. We went downstairs.

♦♦STRIKING FOR A UNION CONTRACT♦♦



Cajun oyster shellers and fur trappers in Morgan City, Louisiana, 60 miles outside New Orleans, take to the picket line to demand an NMU-CIO contract from their employers.

♦♦ Credit: Jordan's Studio; from the collection of Bob Martin.

You had to get 25 signatures to get a special meeting, and we had enough guys right there. We signed a petition, called a special meeting, and I told the membership what the situation was.

They said, "No charges." They were all dropped.

Of course the Union officials didn't participate, they stayed away.

I then went back to the ship.

## Coast Guard Screening

Not satisfied with arresting the Communists in union leadership under the Smith Act, using the Taft-Hartley non-Communist oath and deportation laws, our Cold War enemies initiated a Coast Guard screening program. If you were a Communist, a sympathizer, or if you were a strong union man, they took your Coast Guard pass away from you, and your seaman's papers.

To work aboard ship you were required to apply to the Coast Guard for seamen papers. The entry ratings were wiper (engine department), ordinary seaman (deck department), and messman or utility (stewards department). After three years or so, you had enough time to go to a Coast Guard office and take a test to upgrade your rating, to oiler, fireman, water-tanker, or engineer, and the same applied to the other departments.

When the Coast Guard initiated their screening program, they ruled that anyone that had been or was a Communist, or belonged to or carried out the policy or beliefs of any of the organizations on the Attorney General's list [see section 29], was a subversive and could not get his seamen's papers validated. All seamen had to report to the Coast Guard and apply for validated papers before signing on for a job on-board ship.

Everyone had to take their seaman's papers, go to the Coast Guard, and turn them in; they had to sign a loyalty oath, and they investigated you. The Coast Guard used all kinds of lists supplied by the shipowners, FBI, stoolpigeons, and some of the phoney union officials. Now, if they thought you were okay, they gave you a small plastic card that had your picture on it, and had your seaman information on it. But those who didn't pass the screening program didn't get anything back, and they couldn't ship out. They took your job. There was no mercy. If you were a militant union member you were screened out of an

industry that many had 20 to 30 years invested in, even if you depended on this for your living. Thousands of seamen were screened out. This was a wholesale cleaning out of militant and progressive seamen, and constituted an intimidating threat to anyone that opposed the reactionary union leadership or fought for better conditions on board ship.

### How It Hit Me

They kept harassing me until it got to the point where the hysteria was so great on the waterfront that the seamen were afraid to come and talk to me. They were afraid that if they were seen talking to me, they would lose their seaman's papers.

One day I came home and I almost cried. This was because, when I was coming down the street on the other side of the Union hall, I saw a friend of mine whom I really knew well. I helped him when his daughter was in the hospital and had a hemorrhage and they needed blood real quick. We didn't have the same kind of services then that you do now—the blood banks and frozen plasma. They had to get blood from the blood bank, so they asked him if he could go there to get the blood. I had my car downstairs, and I took him to get the blood.

He was one of the guys who was on the ship over in Port Arthur that I organized. He and I were friends there in New Orleans.

And I thought "Jees, this guy crossed the street!" I couldn't believe that the conditions were that hysterical that he was afraid to talk to me! That really upset me.

Three or four days later, I got a letter from him. He apologized. He really was sorry that he did what he did. He said he was absolutely ashamed of himself, but the fact was that he was afraid of being screened, and he had a family. He had to do it, and he wanted me to understand how sorry he felt.

The Coast Guard did the job of taking the seamen out of the struggle against the Cold War. As a payment for securing their jobs, the phoney leadership broke up our affiliation with the World Federal of Trade Unions and the Committee for Maritime Unity (CMU).

The ILWU, under Harry Bridges' leadership, fought the screening and remained intact. In recent years, a group of screened seamen had the Coast Guard screening program

revoked by court action, many years after the damage was done.

## Dealing with Goons

One time Adrian Duffy came down from New York. He was in charge of the NMU goon squad on the Gulf. He brought a group from Texas and New Orleans, and they were really going to fix my bucket.

It so happened that one of the black seamen saw them go by, and heard them saying, "That's the guy, there on the steps, so we get him on the way back."

So he went across the street and down the block where there's a shape-up going on with black longshoremen—ILA guys. Max Banks was the guy's name. He goes down and gets a bunch of the black longshoremen to go and stand across the street from where I was standing.

When Duffy and the others came back down the street and got over there where I was, Max hollered to me from across the street, saying, "Hey, Bob, we're coming over."

I looked over and saw all these black longshoremen start walking across the street. When Duffy and the others saw what was going on, they just took off.

That's how you stayed there. Actually you were protected by the other people around you or otherwise you could never stay there.

I shipped out on the *Limón*, another United Fruit Company ship, on January 17, 1948, and came back on February 27, 1948 to work around the union hall.

We had a union election coming up, and there was an all-out effort to keep the goons from taking over. A Catholic priest spent about 8 hours a day around the union hall talking to the seamen and Red-baiting the progressive members of the union. The New Orleans Police would just happen to be around and the Curran goons would provoke a fight. Then we would get arrested.

When the 1948 National NMU Elections were being conducted in the New Orleans union hall, there was very little effort to make it look like an honest election. Harry Alexander was port agent in New Orleans and Hugh Flattery was the dispatcher. Between them they scrapped all pretense of an honest election. They had the U.S. Post Office Department remove a public mailbox outside the union hall and place it inside the

union hall. The seamen would vote and put their ballots in an envelope addressed to the "New York Honest Ballot Association," and drop it in the mailbox.

I saw Hugh Flattery take the mail box off the wall after the hall had closed and take it inside his dispatcher's cage. I could not see what he did then, but I could imagine.

I called the Post Office Department, and informed them what I saw. I said that I would launch a legal complaint if they did not re-install the mailbox outside the union hall.

The Post Office notified Harry Alexander of my complaint and placed the mailbox outside the union hall. He then brought me on charges for bringing the union in ill-repute, and I was expelled.

So went many progressive leaders of the NMU.

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